

Audi alteram Partem,

O R

A COUNTER-LETTER,

T O T H E

Right Hon. the E---l of H---ll---gh,

His M---'s P---l S---y of S---e for the C---s,

On the late and present State of Affairs in the

I S L A N D of G --- N --- A.

In which it is clearly demonstrated, that the Troubles and Confusion which have so long subsisted in that Island, to the Distraction of Government, and to the irreparable Loss of the long-suffering Inhabitants,

Took their RISE, originally, and solely

From the arbitrary and partial Disposition of Governor M-----ll; from his total Ignorance of the British Constitution, and the Interests of the People whom he was appointed to govern; and from his perverting or dispensing with the Laws.

A N D

That these Disturbances have since been kept up by a Continuance of the same Causes; by his implacable and ill-founded low Resentments; by his little and mean Preferences and Affections; by his modelling the Council to his Mind, by the Introduction of his Creatures:

B U T A B O V E A L L

By his Unwillingness, or Inability, to incorporate into the Legislation, his M-----y's new acquired, and well-disposed Subjects, the Capitulants of G-----a, in Conformity to the gracious Intentions of our S-----n, and to the salutary Measures of his M-----y's M-----s, for carrying those Intentions into Execution.

Semper ego auditor tantum numquam ne reponam? Juv.

L O N D O N :

Printed for W. NICOLL, No. 51, in St. Paul's Church Yard.

MDCCLXX.

A COUNTER-LETTER

My B—

I am sorry to hear of the death of your friend, for they are
the work of many, and not intended to bring
the name of Governor M—, and possibly
denunciation, which charges against him were
unfounded before his M—, C—, P—, &c.
and which, I believe, indignantly avoided every thing
which could tend to prejudice his cause, or to pre-
judice the minds of his judges against him, finally
declaring that when these charges should be ex-
amined, they would follow. It was upon this
ground, however, that in the late meetings relative
to the removal of the Council of G—, &c.
not one word was said from them concerning the
administration of Governor M—, but
only that the reports of the Governor, taking
advantage of their silence, put in a very different
face; that misrepresentations are made to you
and that the daily papers are filled with
false and malicious productions; that similarities are made
and

A COUNTER-LETTER, &c.

MY L---D,

THE authors of these sheets, for they are the work of many, did not intend to bring the conduct of Governor M---ll into public disquisition, while charges against him were lying unheard before his M---s P---y C---l. They have hitherto industriously avoided every thing which could tend to prejudge his cause, or to prejudice the minds of his judges against him; firmly relying, that when these charges should be examined, redress would follow. It was upon this generous motive, that in the late meetings relative to the removal of six of the Council of G---n---a, not one word escaped from them concerning the mal-administration of Governor M---ll. But seeing that the abettors of this Gentleman, taking advantage of their silence, pursue a very different plan; that misrepresentations are made to your L---p; that the daily papers are filled with Grub-street productions; that emissaries are hired,

and with unparalleled assurance imposed as holders of land, not only upon the public, but on the proprietors of G—a, at their meetings ; that pamphlets are addressed to your L—p ; and that every mean art is practised, which disappointment or resentment can dictate, to deceive and bias the judgment of the public ; they think it would be unpardonable in them longer to remain silent, under the load of calumny and falshood thrown upon them.

Permit them, then, my L—d, to lay before your L—p, a candid and fair account of the disturbances which have distracted the Island of G—n—a, from the time that Governor M—ll took possession of that government to the present hour ; and in case it shall be found that these disturbances originated entirely from the *Governor*, and in no case from the *governed*, they hope your L—p will officially contribute to give them that easy and constitutional relief which the harrassed inhabitants of G—n—a have a right to expect, as well on their own as the public account ; by the removal of a Governor who has lost sight of the public good, and the constitution of his country, perverting the operation of the laws, administering justice partially, governing in many cases tyrannically, and by the general tenor of his conduct, totally alienating the affections of the people entrusted to his care.

In the course of this performance, if any thing acrimonious should fall from their pen, they hope your L—p will make allowance for their feelings. The nature and duration of their sufferings, and the injuries they have received, cannot but have raised strong and laudable resentments. At the same time, they seek for *redress*, and not for *vengeance* ; it is the Governor, and not the Man, they pursue.

They

They beg also, my L—d, that in whatever light you may view these sheets, you will be persuaded that they entertain the highest respect and deference for your L——p; and that should they find themselves in any case obliged to differ in sentiment from your L——p, it will be done with that fairness and candid freedom, which they hope will rather secure to them, than forfeit, your L——p's good opinion.

It would be endless, my L—d, and unworthy of your perusal, were we to take notice of every illiberal production which has made its public appearance on this subject, from the 11th of October 1768, (when Governor M——ll began to sound his own praises) to his last performance in the Political Register, and of Pliny Junior; some of them, however, merit observation, as the strongest proof of what we assert may be drawn from them; but these observations will occur more naturally in the course of our narrative; at present, we shall beg leave to trouble you with a few strictures on that curious and impudent letter to your L——p, signed a G—n—a Proprietor; the insolence and absurdity of which roused us from our silence, and gave your L—p and the public a trouble which perhaps would otherwise have been spared.

That the author of that Letter, uncandid as he has been himself, may have nothing to complain of, in point of fairness, we shall comment upon no part of his performance, without quoting his words fully and literally. Having premised thus much, my L—d, we shall enter on our task without further preface.

“Your L—p is no stranger to the unhappy disputes which have so long subsisted in G—n—a, *however you may mistake their true source.*” p. 4. What can your L—p expect from a writer who sets out with so impudent an insinuation? The fallshood of which appears from the measures adopted

adopted by your L—p, for putting an end to those disputes, and from the absolute quiet and repose which took place in the Island on their being carried into execution, notwithstanding the illegal attempt of a few factious Members of the Council to defeat them, whose importance arose originally from that of their *Creator* Governor M——ll, and must fall with it.

“ Whatever be that source, it is not now my intention to trace it.” p. 4. No certainly, it was neither his *intention* nor his *interest* to trace it. That work however shall be done for him.

“ The *legality*, the *justice*, the *expediency* of the measure, by which the *French Roman Catholic* inhabitants of G—n—a were admitted to share legislative and judicial offices in that Island, are not the subject of my present enquiry.” p. 4.

No; that task was reserved for Pliny Junior; the words in *Italic*, however, seem to insinuate, that the measure in question is neither *legal*, *just*, nor *expedient*, and clearly predict what we are to expect, when the writer shall “ see a proper occasion to trouble your L—p with his reasons.” p. 4. At present, it seems, “ he is only to *awaken* your L—p to the present situation of G—n—a.”

And “ if your L—p should find it in your power to administer relief to its unfortunate and distressed inhabitants, he can *scarcely doubt* that your L—p will concur with your duty.” p. 4.

Did ever Grub-street writer pen a more impertinent paragraph? Insinuations that your L—p has been *asleep*; that you may want power when you *awake*; and that he *scarcely doubts* that you *incline* to do your *duty*, would be impertinent from any man, but from the insignificant writer of this Pamphlet; for it is well known, my L—d, they would be intolerable, were not his literary productions as unworthy of serious notice as himself.

Before

Before we quit this curious page, we must recur to the words, *legal, just, and expedient*, for these will be found in the progress of our narrative, to be the most unlucky words that could be brought in defence of Governor M——ll ; for it will appear, that this gentleman was no stranger to the *justice, legality, and expediency* of the measure in question ; on the contrary, it took its first rise from himself ; and received the sanction of his council : and it will also appear, that he never changed his conduct on this head, till he found that he had totally lost the affections of the new subjects, and was willing to try if he could not manage them by *fear*, when he could no longer retain them by *love*. For the further elucidation of this matter, we beg leave, to avoid repetition, to refer your lordship to the narrative, where it is fully stated.

“ Previous to the receipt of the account of the
 “ suspension of six Members of the Council by
 “ the Lieutenant Governor, you (your Lordship)
 “ approved the conduct of the Council in the
 “ most explicit terms.” p. 5. This man’s eagerness to misrepresent, prevents his seeing that he confutes himself. From the departure of Governor M——ll, ’till the suspension of the Six Members, there was not a dispute in G—n—a ; the interruption of the tranquility which had taken place, occasioned the suspension of the Counsellors ; and the news of the disturbance and the suspension, arrived here in the same week : How then can this man impose on the public, by saying, that your L——p approved in explicit terms, what it is plain you could never have heard of, or have known ?

“ I call upon Mr. M—tl—d, who as agent for
 “ the Island of G—n—a, must be possessed of
 “ all the materials in this matter, to correct me.”

Very

Very modest indeed, and fair ! The gentleman submits to be corrected by Mr. M—tl—d, who must have furnished most of the *late materials* for his pen, and who, my L—d, is *not* agent for the Island of G—n—a, but *agent* and *solicitor* for Governor M—ll. And here, my L—d, we beg your forgiveness for taking a second notice of those meetings of the proprietors of land in G—n—a, which were held at the Half-moon, and King's-Arms taverns. If we are not greatly misinformed, Mr. M—tl—d has dwelt strongly in vindication of Governor M—ll, on this circumstance, " that during the whole debates, not one " word was said against Mr. M—ll, or his administration in G—n—a." We admit the fact, my L—d ; the cause of our silence has been given already ; and we trust you will draw a very different inference from our silence, from that inferred by Mr. M—tl—d. The charges against Governor M—ll, lay unheard before the K—g and C—l. Would not then Mr. M—tl—d ; would not the other partisans of Governor M—ll, have accused us of malevolence, and want of candour, if under these circumstances we had blended our complaints of Governor M—ll's mal-administration, with the subject of the day, which was solely the disputes between the Lieutenant Governor and the six suspended Counsellors ? Our motives for not thinking ourselves obliged to observe this silence longer, we have already given to your L—p. As to Mr. M—tl—d himself, he has been an intruder in this whole business. He could not come to the meetings, as agent for the Island, because he is not acknowledged by the Island in that capacity *. But we will grant, for a moment, that he came as agent ; then, he betrayed

* See Appendix, No. II.

his trust, for he acted as solicitor for one of the complaining parties, against the other, (both being branches of the legislature) when he ought to have been rather a mediator, and promoter of peace. He did not come as a proprietor of lands, for he does not possess an inch in the Island. He could not come as an advocate, for the meeting was no court, and therefore none of the parties could be heard by council, he then could only come to those meetings as a busy intruder. —

But, my L——d, Mr. M——d was not the only intruder at those meetings. If your L——p will cast your eye over a paper in the Appendix, (No. 10.) you will see what pains were taken to overbalance property by numbers, and of what sort of persons these numbers were made up: *money-lenders, agents, correspondents, attornies, mortgagees, &c.* — The absurdity of allowing mortgagees, except mortgagees in possession, to vote at such meetings, is so obvious, that we are almost ashamed to take up your L——p's time in mentioning it; for can any thing be more contrary to common sense, and to equity, than that a man's weight and importance in determining any affairs of the Island, should increase in proportion as his property diminishes: For instance, one man has a clear estate of 100,000*l.* value in the Island; he comes to the meetings, and he has *one* vote; another man has an estate of equal value, but he has mortgaged it to ten different money-lenders: This man comes to the same meetings, with his whole tribe of mortgagees, and he has *eleven* votes. Of just such Members, my L——d, were these meetings composed; and if the real proprietors of land in G——n——a, who are resident in London, suffer these proceedings to go on for the future, those men bid fairest to carry every thing before them, who have least title to it. By these means

Mr. G——m, one of the suspended C——ll——rs, if he had been in England, might have attended the meetings with twenty mortgagee annuitants, and given to the debates just such turn as they should have pleased. We are willing, however, to attribute this behaviour of Mr. M——cl——d's more to disease than ill intention. The man, my L——d, has got a political asthma; he cannot breath out the benign atmosphere and sunshine of Ministers.

"Any observation which I may occasionally make on those facts will be my own." p. 6. We are content that they should be *his own*; we are certain that they never will be adopted by your L——d.

"Upon the 16th of January 1769, three of the new subjects were accordingly admitted to take their seats in the assembly of G——n——a, without subscribing the Test, and seven were appointed Justices of the peace in that island." "At the same time the Lieutenant Governor wanted to appoint two of them to be of the Council." (p. 7.) Was it not very natural for him to wish the completion of a plan which was more likely to answer his Majesty's intention, by a total, than a partial execution of it? but as the instructions were not clearly understood by the Lieutenant Governor, the factious Counsellors took advantage of his candour and moderation; for had he persisted in his point, and carried the whole plan into effect at once, the refractory Members would not have attempted such illegal and unprecedented methods of disturbing the tranquility of the island, as they ventured to do after this instance of his moderation and yielding disposition.

"By the K——g's instructions to the Commander in Chief, he is authorised, in case it shall ever happen that there be less than seven Members
" of

“ of the Council residing in G—n—a, to appoint
 “ as many persons out of the principal inhabitants
 “ thereof, as shall make the number of Coun-
 “ sellors seven, and no more; and they are to
 “ continue Counsellors untill confirmed by the
 “ Crown, or untill there be seven of the Council
 “ upon the island: This is the only instruction
 “ which gives the Commander in Chief a power
 “ to name, and this is the only case in which he
 “ can legally name Counsellors.” (p. 9.) The
 Lieutenant Governor, my L—d, never thought
 of breaking through this instruction, tho’ Gover-
 nor M—ll positively broke through it more
 than once; for what reason then has this long
 paragraph been inserted? Nay, the author of the
 letter himself, cannot charge the Lieutenant Go-
 vernor with the breach of it; for in the para-
 graph immediately following his recital of this in-
 struction, he confesses that, “ there were only six
 “ Members of the Council residing in the island,
 “ when the Lieutenant Governor was pleased to
 “ appoint his private Secretary, G—e L—d
 “ S—n, Esq; to be a Member of the Council.”
 (p. 9.) Was Governor M—ll equally caut-
 ious on this head? or was the Letter-Writer igno-
 rant that Governor M—ll was in the daily
 practice of appointing temporary and supernu-
 merary Members of the Council, as often as he
 had a job, or a favourite measure to carry? and
 that the residence of seven Members in the island
 was no bar to his appointment of Counsellors?
 “ Who this Mr. S—n is, and what is his
 “ character, your L—p’s knowledge and informa-
 “ tion may perhaps render unnecessary for me to tell
 “ you, other considerations may render it improp-
 “ er.” (p. 9.) This is one of the few points in
 which we join issue with the Letter-Writer. It
 was very unnecessary and very improper for his pur-
 pose,

pose, to tell your L——p that Mr. S——n is a gentleman of the most unexceptionable character, and very uncommon accomplishments; that he is as remarkable for a generosity of sentiment, as for moderation, and that his natural talents have been improved by a liberal education, and a thorough knowledge of the constitution of the different colonies; not acquired as this son of Grub-street insinuates, by a residence at St. Omers, but by a course of study at home, by travel afterwards, and lastly by a nine years residence in the Caribbee Islands. If Governor Dalrymple, if Governor Scott, were alive, they would bear testimony to his merit. But nothing can plead his cause with your L——p more powerfully than his own conduct on the present occasion, for seeing that the factious Members of the Council industriously sought for an opportunity of sowing dissension in the colony, he resigned his seat in Council, rather than afford them a pretext in a matter principally regarding himself; declaring, “ That he “ was particularly happy to have an opportunity “ by his resignation of removing the possibility of “ a difference between the Lieutenant Governor “ and the Council.” A difference however they were determined to have, and being disappointed of it on this occasion, they immediately found it on another. How little the factious Members were pleased with this unexpected resignation appears from the Letter-writer’s account of it, “ He “ *condescended* to desire leave of the Lieutenant-Governor to resign his seat; which being as *con-* “ *descendingly* granted, the *pacific* Mr. S——n was “ pleased to withdraw.” (p. 12.) The word *pacific* used here so emphatically, is more convincing than a volume, that these gentlemen sought to involve the Lieutenant Governor in a quarrel on Mr. S——n’s account, and that they were much disappointed

disappointed in not succeeding. The condescension of the Lieutenant Governor and his Secretary had hitherto preserved the peace of the colony, which they were determined no longer to endure.

" I will only be bold to tell your L——p what he is *not*. *Know then*, my L——d, that he is not one of the principal proprietors of " G——n——a, &c." If integrity, erudition, independency, and a competent estate, constitute a *principal inhabitant*, not of G——n——a alone, but of *any country*, Mr. S——n, my L——d, must be acknowledged a principal inhabitant of G——a, for he is possessed of all those requisites.——The Lieutenant Governor appointed one Counsellor only.——In a Council constituted, as experience has since shewn that of G——n——a to have been, the Commander in Chief certainly stood in need of a friend: He was particularly *careful* in the choice; he made his appointment *legally*; and the appointment, for twelve months that Mr. L——n sat at the board, did the Lieutenant Governor honour, for during that whole period, the island enjoyed perfect internal peace and tranquility; and yet your L——p is told that this appointment is improper, in the insolent stile of " *Know then*, My L——d, that Mr. S——n is " not a principal inhabitant of G——n——a."——By this illiberal attack on Mr. S——n, the Letter-Writer, no doubt, wished to impress your L——p with a belief that those Members of the Council which were of Mr. M——ll's peculiar appointment, were men of all the requisites just mentioned in a superior degree to Mr. S——n, and that they were appointed in a more constitutional and unexceptionable manner. It is with concern, my L——d, that we find ourselves obliged, in addressing your L——p, to descend into a scrutiny or detail of *even* one or two private characters, but

but the mode of attack renders this mode of defence necessary; and we trust that your L—p's candour will acquit us of any design on our part of entering into so illiberal a contest, unless compelled to it. If Governor M—— had been determined in his choice of Counsellors and Judges by propriety of character, he would never have appointed his cousin J—— M——ll, nor W——r R——t——n, to these offices. The first is one of the most illiterate men that ever sat in a legislative capacity, and who had earned his daily bread for many years in the laborious and humble station of a pedlar, carrying, in every sense of the word, his *little all* upon his own shoulders. As for Mr. R——t——n, the Governor's caprice raised him, in one of those unaccountable moments, which mark his whole conduct, from the station of an undone and creditless shopkeeper, to the offices of Member of the Assembly, Treasurer, Judge of the Court of Common Pleas, Curator of vacant Successions, Trustee of the Colony Hospital, and Hospital Plantation, &c. and all this without any other apparent merit or abilities, than those of flattery, and implicitly following in *all things*, the will and direction of his Patron.

The next cause of quarrel was fought on the appointment of Mr. De St. L——t to be one of the assistant Judges of the Court of Common Pleas, which the Lieutenant Governor conceived to be, (according to his M——y's instructions) part of that plan, the whole of which was to be carried into execution. On this occasion, the Lieutenant Governor "desired the advice and "consent of the Council for such appointment." But, "the Board was of opinion, that they could "not give their consent to such appointment, as "by the Act of the Legislature of the said islands, "for establishing the said Court of Common Pleas,

" such Court is to consist of one Chief Justice,
 " and four Assistant Justices, which number is
 " now compleat, and the act in force till the 14th
 " day of October, 1770." p. 15. Though
 some of us have thought, my L^d, that this ap-
 pointment had its difficulties, yet we cannot ac-
 knowledge that it was either contrary to the tenor
 of the Court act, or that it dispensed with it. Had
 the Lieutenant Governor struck off one from the
 number of the Judges appointed by that act, or
 had he refused to fill up a vacancy, when death or
 removal had occasioned one, in that case the Lieuten-
 ant Governor would not only have dispensed
 with the law, but he would have acted in the face
 of it. The obvious meaning of the act is, that
 the Court of Common Pleas in G—n—a must
 consist of one chief, and four puisne Justices, *at
 least*; but it does not preclude the appointment of
 more, if circumstances should render such ap-
 pointment salutary; and his M——y's gracious
 intentions towards his new subjects might very
 well justify the Lieutenant Governor in the present
 appointment, when, notwithstanding the assertions
 of the Letter-writer to the contrary, the Court
 was not full; the Chief Justice himself being ab-
 sent in England. Suppose sickness, or the King's
 leave had deprived the Island of a sufficient num-
 ber of Justices to compose a Court of Special
 Pleadings; or of all the Justices of this Court;
 must the course of justice be stopped, or would it
 be thought a dispensation with the law, to appoint
 others? Certainly not. Is not R—t T——r (who
 has been in England above eighteen months past)
 still senior Justice of the Court of Common Pleas of
 that Island? And did not Governor M——ll, not-
 withstanding the four puisne Justices were then
 compleat, and the Chief Justice also in the go-
 vernment, appoint Mr A—ch—n one of the puisne
 Justices,

Justices, a day or two before his departure for England; whereby the number exceeded the pretended limitation of the law? Nor was the appointment of Mr A—ch—n at that time necessary, as he neither took the oaths, or sat in judgment, for near eight months after his nomination*. But whatever may have been the opinion of the Lieutenant Governor on this head, he once more *condescended*, and to avoid, if possible, breaking with the Council, relinquished this point of the Justice, as he had before relinquished that of his Secretary. In both instances he manifested more temper and moderation, than sound policy, and knowledge of the persons he had to deal with; for in proportion as he yielded, they became unreasonable, rising in refractoriness, as he became more patient and forbearing; till at length there remained no longer room for patience, and till further forbearance would have betrayed the trust reposed in him, and sunk the dignity of government into utter contempt.

“ One would have imagined that a man of common prudence would have availed himself of the experience which he had thus acquired of the temper and disposition of the Council.” p. 17. He did, my L—d, avail himself of it, for finding that the Council were determined to bring him to a rupture, or to render him a cypher in the government, he found it high time to shew more steadiness, and not to relinquish the appointment of the two new Counsellors, as he had, through an

* The Court terms being over a few days after his appointment, and did not commence until near eight months thereafter; however, the appointment was meant as in the case of Mr. W——ms's appointment of the Council, to preclude the Lieutenant Governor from giving the appointment to any of his own particular friends, and according to custom, in the hope of securing a devoted partizan.

ineffectual endeavour to please them, relinquished the two former appointments.

“ The Council remonstrated to him (two of the
 “ new Roman Catholic subjects attending to be
 “ sworn in, that their number was compleat :—
 “ that there were twelve members of the K—g’s
 “ own appointment, eight of whom were then
 “ present,” &c. p. 17. It was Governor M—ll’s
 constant practice, when there was not a sufficient
 number of Members in town, though there were
 more than sufficient in the Island, to call in some
 of the inhabitants of the town as Counsellors, such
 as W—r R—t—n, J—n M—ll, J—n P—g—t,
 &c. and this frequently when Mr L—d—w, who
 had the King’s Mandamus, was in town; but Mr.
 L—d—w was at that time no favorite; Governor
 M—ll having even attempted most illegally to
 suspend him, under pretence, that having only sig-
 nified his nomination, by presenting the Royal
 Mandamus to the Governor, in the Government
 House, and not in Council, he did not think himself
 obliged to order the Provost Marshal to summon
 him; the true cause however was his having been
 appointed through a different interest than the
 Governors, and therefore not likely to become one
 of his creatures. Governor M—ll also ap-
 pointed Mr. L—s and John M —ll, Mem-
 bers of the Council, at a time when there were ten
 Members upon the Island; and what is more asto-
 nishing, he appointed Thomas W —s to the
 Council, a few days before his departure for Eng-
 land: and this he did, imagining that the number
 twelve was then compleat; and that he should
 thereby preclude the L—t G—r from having a
 friend of his own in Council. He also appointed
 Capt. H—t to the Council of St. V—’s, when
 there were ten Members actually sitting in the Council
 of that Island: and C—l—r S—h, of the same
 D Island,

Island, was not only appointed a Counsellor by Governor M——ll, when the number resident was above the limitation, but he was permitted to hold his rank at the Board, even after the number was completed by the nomination of another. With what face then, my L—d, can a writer, furnished with all these facts, charge Mr. F—m—ce with breach of instructions? Mr. F—m—ce can in no instance be said to have acted in direct opposition to his instructions, however he may have misunderstood them. Governor M——ll regarded his instructions, no farther than as they coincided with his views. Mr. F—m—ce might conceive, that the two French Counsellors, were to be additional, and that he was not to wait for a vacancy; for if there was any impropriety in the appointment, two out of fourteen would have less influence than two out of twelve.

“ He with great violence of temper ordered the oaths to be administered.” This short sentence proves what has been already asserted, that the Council was determined to pick a quarrel at any rate; here the L—t G—r is attacked for violence of temper; before he was attacked for condescension and a pacific disposition. But in what did the violence of the L—t G—r consist? The writer himself forgets that he has acquainted your L—p, that “ To the reasons of the Council, cogent and irrefragable as they were, the L—t G——r only answered, that the S—y of State had written to him, that he, the L—t G—r, was to appoint the two French Roman Catholic members,—that he had done so,—and that he would have them sworn.” p. 19. “ The President, and five other Members of the Council, finding no other resource left, to avoid the illegal measure which the L—t G—r was about to take, withdrew themselves from the Council, and

"and thus defeated it." p. 19. And for so doing they have justly merited never to sit at that or any other Council-board again. For this manner of attempting to defeat the measure, was highly disrespectful and illegal. They had an undoubted right to oppose this, or any other measure, which they might think inexpedient or unconstitutional; but they can have no claim to enter a Council, from which they have thus unwarrantably withdrawn themselves.

"Need it be said that a Governor of a Colony, would frequently wish to add one, two, three or more Members to the Council, although their power was to cease immediately after the determination of a particular question." p. 22. We have just shown that this was a daily practice of Mr. M—ll's, although never attempted by Mr. F—m—ce, who, if he had not express authority for what he did, at least thought he had it, and therefore his errors have not been intentional. Can the same be said of Mr. M——ll? The sequel of this paragraph is really diverting; for if it were serious, it would alone damn every part of Mr. M——ll's long administration beyond redemption, and involve the whole Colony, with all its property, in confusion, endless law-suits, ruin, and distress. The words are, "Besides, my Lord, had the two Members sat, every measure of the Council, during their so sitting, as a branch of the legislature, would have been of doubtful authority, and subject to litigation and are not the dreadful confusions, in which this must have involved the Colony, foreseen at one glance?" p. 22. What then becomes of all Mr. M——ll's acts of Council, during the times that Messrs. R—b—n, B—y—au, John M——ll, P—g—tt, C——y, &c. &c. sat as diurnal, hebdomadel, or occasional Members of the Council?

If Mr. M——ll's partisans in G——n—a had allowed the Lieutenant Governor's appointments to have waited quietly his M——j——y's determination, it would have been much more for that gentleman's interest, than the bringing into disquisition, such matters as are become the subject of their champion's letter.

"If your L——p did not *yourself* transmit these instructions, you will find, that they were transmitted.—Copies of them are in your office.—*Look at them, I beseech you, my L——d, and be convinced, if you doubt the truth of my assertions,*" p. 24. Is this proper language from the author of this Letter to the Earl of H——lls——gh? Are these insinuations from an impertinent, self-important upstart, to a diligent, able S——r——y of State, to be tolerated? We shall make no comment upon them; they are unworthy even of Grub-street, although perfectly characteristic of their author.

"For, I aver, that the K——'s instructions were transmitted to the Lieutenant Governor, *not* to execute the R——l intentions in favour of the Roman Catholic subjects, *in as far as those intentions regarded the Council*, until certain provisions had been made by the legislation of the island," p. 24. This is well *averred*, my L——d! But the gentleman forgets that in the seventh page, he has already informed us, that "with regard to the two Counsellors or the Judge, the instructions were *totally silent*."

• Similar to the above paragraph, is the following; p. 32. "It will be necessary, my Lord, before I proceed farther, to lay before your L——p the King's instructions to the C—— in Ch——f, respecting the power of suspensions." Again, he says, "and your L——p, if you know the state of politics in G——n——a, and those who do know it, can *best* judge whether they are, or are not probable." p. 35.

"Such

“ Such as laying on the impost of the four and half per cent. duty, and building churches for the public profession of the Protestant religion,” &c. p. 24. We cannot believe the Pamphlet-writer, my L[—]d, that these articles made part of the plan which Mr. F[—]z[—]ce thought himself obliged to carry into execution. They are evidently consequences to be expected from the completion of the plan, and not parts of it; for this obvious reason, that the spirit of the British constitution does not allow his M[—]y’s servants to use the undue influence of either bribes or intimidation, to carry measures of government. These reasons must have been suggested by persons inclined to prejudice your L[—]p’s administration of the C[—]s in the eyes of the public, who have too good an opinion of your L[—]p to be so misled. For it is not possible that his M[—]y could wish, or your L[—]p advise him, to bestow a partial, where he has the power of bestowing a compleat blessing on his people; especially in a matter wherein every return was to be expected which could flow from gratitude, love, duty, and obedience, and wherein his M[—]y’s tenderness for his new subjects, and the readiness of his M[—]rs to carry his gracious intentions into effect, appear so clearly as they have done in every stage of this business, from the first taking of it up by Governor M[—]ll himself, till the late attempt of his partisans to defeat it.

Indeed there are many marks of the Lieutenant Governor’s thinking that the four and half per cent duty, and the building of churches were consequences to be expected from the plan, and not parts of it, and this naturally accounts for his anxiety to carry the whole into execution as soon as possible, that those desirable points might be gained. In his proceedings, however, he acted with

with great temper and moderation; for he waited from the 16th of February, till the 24th of August, upon an objection made by the Council, saying, "that he would write to the S—y of S—e "on the deficiency of his powers, &c." p. 27. But upon farther and repeated consideration of his instructions, he thought himself obliged to go on; accordingly, on the 24th of August, he endeavoured to carry the whole plan into execution; part of it he, out of condescension, dropt at that time; the remainder was defeated by the secession of the Council; and the Council itself was adjourned, on account of their illegal secession, *sine die*.*

"Upon the 25th of Sept. the day to which the "Assembly of G—n—a stood adjourned, the "Council, viewing this alarming attempt, in the "only light in which it can be viewed, met. " (p. 25.)"—They met, my L—d! Their meeting was, perhaps, the most daring insult upon good government, that ever happened in the Colonies. They met, during an adjournment *sine die*, consequently they met unsummoned, and in defiance of the authority of the Commander in Chief, who had adjourned them.—And for what did they meet? They met, to resolve, "That it "appears to this Board, that upon these grounds "when the G—r, with the utmost violence "insisted upon appointing and swearing in the "gentlemen at the last Meeting, contrary to the "opinion of the Board, the Council thought proper to withdraw themselves *for that time*, not "with any design to absent themselves from the "public business, which they declare they are always willing and ready to attend, &c. p. 26." Did this Council recollect, that they themselves had advised Mr. M—ll to dissolve the assembly

* See Appendix, No. 18.

for adjourning themselves to a particular day, notwithstanding that the day chosen by them, was one of three recommended to them by the Governor as proper for that purpose; which appears by the minutes of Council, 19th and 21st of May, 1766 *. How then can the Council be justified for meeting under a positive adjournment, *sine die*, brought upon them too by their own contumelious secession? And when they did meet thus illegally, we find it was principally to declare, *That they had seceded only for once, to defeat a measure which would otherwise have been carried against them, but having obtained their point, they truly did not intend to secede again; and if the Lieutenant Governor would not allow them to meet in Council with his consent, they were determined to meet without him.*—The

Letter-Writer, my L—d, dwells much upon the great violence of the Lieutenant Governor's temper. Indeed, my L—d, there lives not a meeker man. The Council found him mild to a fault; but if his insisting on one point out of three (all which we are certain he thought himself culpable in relinquishing, though he acted for peace sake) can be called violence, what are we to think of the outrage of the Council, and of the impudence and folly of their Advocate, who repeatedly forces their inconsistent behaviour into view?

“The Council then proceeded to the business of the Colony which lay before them, some of which being done, they adjourned, p. 26.”

What are we to think of “business of the Colony,” transacted by a Council which had no authority to meet! We can only think that they transacted such business as no Council would have thought of, that had an authority to meet, and this will be found to be the case; for having first

* See Appendix, No. 18.

convened themselves illegally in their privy capacity of Counsellors, they then as illegally enter into the exercise of their legislative functions, and came to the following resolutions, which I am amazed to find the Letter-Writer has omitted, as he has been peculiarly happy hitherto, in inserting every thing that could do most prejudice to his cause.—Your L——p will find the resolutions of this mock Council, as well as the resolutions of the Council on the 24th of August, entered in the Appendix No. 6, with a comment on each, not for your L——p's information, but for that of the publick, to whose candid judgment, as well as to your L——p's, we most chearfully submit. One of these resolutions is however of so very extraordinary a nature, that we cannot omit the inserting it here.

24 Sept. 1769. "Resolved unanimously, that for
 " the future, when any recourse is to be had to
 " the Council book, 'tis to be done either at the
 " Council Board, or in the presence of the Clerk
 " of the Council, at his office." The Council had
 already met without, nay, against the consent of
 the Commander in Chief; they were now deter-
 mined to exclude him from knowing what they
 were about; and the act which was to keep him
 in ignorance, rendered the Clerk of the Council
 an officer of more consequence than the Governor;
 for the Clerk is directed by this resolution, on no
 account whatever, to wait upon the Governor or
 Commander in Chief, with the books of Council;
 on the contrary, the Governor, if he wants to have
 recourse to the records of his own conduct and ad-
 ministration, (for they are all entered in the Coun-
 cil Books) must in person wait upon the Clerk.
 This resolution proves to what a state of insigni-
 ficancy the Council attempted to reduce the Lieu-
 tenant Governor, and to what a pitch of pre-emi-

hence they wished to raise themselves, for if the Clerk of the Council is of more consequence than the supreme Magistrate, than the K——'s representative, what must the Council, but above all, what must their President be? — That this gentleman imagined himself vested with very extraordinary powers indeed, appears from his own words, p. 37. For " His honour the P——d——t having informed the Board, that from the *duty* of " *his station, and his regard* for his M——y's service, and the public good, *he* had found it *necessary* to assemble them, (p. 47.)" Assemble Them! for what? To *oppose* the Governor! To *vote* his procedure, "*illegal, absolutely null and void, and of no effect!*" And to *resolve* that *They* do sit in Council, and exercise the powers delegated to them! *vide* their resolutions, p. 31, 39, & 40. Acts in our opinion little short of rebellion. It was for this reason, I suppose, that the Letter Writer ventured to say, p. 23. " Here then, my " Lord, I will for the present leave the Council " to your candour and judgment, trusting, as I " *most confidently* do, that they will receive your " L——p's fullest approbation of their conduct." Indeed, my L——d, it is not easy to find a Council and Advocate better suited to each other; for it is hard to say, which has manifested *most confidence*.

The Letter Writer, my Lord, dwells much on the informality of the Lieutenant Governor's first suspension, because the Letter of suspension was written in the *perfect* tense, and not in the *present*; and because he had given his reasons for suspending the Counsellors, which never ought to be done, but where the advice of the Council was sought, and their consent obtained. As to the first objection, my L——d, we do not contend that Mr. F——e is a good Grammarian; we only

(26)

only contend, that he is an upright well-meaning Governor, and it required such critical knowledge as graces the composition of the G—n—C—'s resolutions, to discover, that there was an informality in the literal construction of the Lieutenant Governor's first Letter of Suspension: an official informality there certainly was, for as the Lieutenant Governor had not required the opinion or consent of the Council to justify his suspension, which he was to answer to his M—y, his good nature carried him too far, when he condescended to send each of the suspended Members a copy of his reasons. The informality would have been still greater, if the reasons of suspension had been actually entered in the Council Books, as the Lieutenant Governor at first intended, but this blunder (for we acknowledge it to be such) was avoided by the subsequent suspension, formal and regular in every point.

But, my L—d, will the Council contend, that because the Commander in Chief committed a solecism in language, or a false concord in writing, that they had therefore a right to resist him, and to declare his Acts null and void, and all his proceedings illegal. Would they not have acted more prudently for themselves, as well as more serviceably for the Colony, to have acquiesced in the suspension, till his Majesty's pleasure could have been known, and till the Lieutenant Governor could have been brought to an account, constitutionally, in case he had acted illegally?

“ To this, (the last suspension) therefore, they, “ as became them, submitted, (p. 42.)” It would have equally become them to have submitted to the first. But will the Letter Writer say, that they submitted, without, having held private meetings,

• See Appendix, No. 16.

and

and without having been convinced that it was no longer practicable for them to abuse the good nature of the Lieutenant Governor, who, although he was slow to wrath on repeated occasions, yet, could no longer brook the insults of his Council, when they pushed him beyond the limits of his moderation.

“There are not, indeed, wanting, those who suspect, that the Lieutenant Governor of G—n—a would not have dared to preceed the lengths he has gone, in direct contradiction to the K—g’s instructions, if he had not had assurances of protection from those who were able to afford it to him, (p. 45.)” — Another of the illiberal insinuations, my L—d, with which this Letter teems! It means simply this, that your L—p shrunk from a measure which does you and his M—y’s S—ts honour, the admission of the new subjects into a small share of legislative and executive offices, and that you poorly throw the burden of completing a plan, which you did not dare to avow in its full extent, on the Lieutenant Governor, who was a party in the plot, and assured before-hand of protection and indemnification. If there is a man base enough to entertain such a suspicion, he is a fit companion for the Writer of the Letter.

“But, your L—p will, by your conduct, demonstrate to the world the falshood of this suspicion; and convince all mankind, that no Governor, *whoever he may be*, shall dare, with impunity, to contravene the instructions of his K—g, or to exceed the bounds with which his duty is circumscribed, (d. 45.)” — To this paragraph, my L—d, we most chearfully subscribe; we beg it may be the touchstone, to try the conduct of both the Governor and Lieutenant Governor. The course of our narrative, we

doubt not, will prove that Mr. M——ll's infractions of the K——g's instructions are *numberless, evanion, and designed*; while his successor has only erred once, if he has erred at all, and that in a doubtful point, which he took six months to consider, and at last thought he clearly comprehended. That Mr. F——ce has given great satisfaction to the Colony in general, is clear from the addresses of both branches of the legislature. Subsequent to the suspension of the old Council. And it is very remarkable in the address of the new Council, that they see the affair in the same light as the Lieutenant Governor did; for they say, that the Lieutenant Governor communicated to them the instructions by which he found himself obliged to compleat the plan in favour of the new subjects. A clear proof this, that the Lieutenant Governor, if he was precipitate, erred from a mistaken sense of his orders, and not from any unjustifiable design.

“ My L——d, it requires a much abler pen than I hold, to point to your L——p, the distracted situation of the Colony of G——n—a, p. 45.” It does, indeed, require a much abler pen to describe the distractions of that island during Mr. M——ll's despotic administration: But from his departure to the present hour, there has not been, in any period of time, a more orderly, quiet Colony, than that of G——n—a, the few days excepted, during which the old Council thought proper to throw it into confusion; which confusion ceased again from the moment of their last suspension. In this 45th page, my L——d, all the venom of Mr. M——ll's party against the new subjects, and all the Writer's propensity to misrepresentation break forth in their full vigour; for from hence to the conclusion of the work, we find one continued rhapsody, equally composed of malice and falsehood.

“ The

"The French Roman Catholicks do not possess one third of the property, (p. 46.)"—And they possess but one eighth of the legislation; and this for a limited time only, as it must cease with the sons of Capitulants born before the treaty of Paris, the indulgences now given, not extending to the third generation. Besides, all these indulgencies to the new subjects, are only granted during the King's pleasure. A circumstance which makes the unprecedented opposition of the old Council to the Lieutenant Governor the more inexcusable, as any inconveniences arising from his errors, were of very easy remedy, had his M——y's pleasure on that head been awaited, who has reserved to himself the power of revoking these indulgences at will, which is no small security against the French Roman Catholicks attempting to abuse favours, that they may so easily be deprived of.

"Of this share (one third of the property) a very great part consists of sugar plantations, belonging to about fifteen or sixteen French Roman Catholicks: *One half of whom either reside with their families in France, or are settling estates in the French Colonies,* (p. 46.)"—This paragraph is a daring and barefaced falsehood; it has not even the shadow of a foundation in truth, and is calculated to inflame the minds of the people of this country against as peaceable, useful, and we venture to pronounce, as faithful subjects, as any his Majesty has. The Roman Catholicks of the Gallican Church are no Papists; they deny the supremacy of the Pope, and all those damnable doctrines tending to inculcate, that the Pope can dispence with the allegiances of subjects to their sovereigns, and which justly make Popish tenets so detestable. The Roman Catholicks of G——a, have taken the oaths of supremacy, and allegiance to the King of Great Britain; they have abjured the

the Pretender, and we once more repeat it, his majesty has not in his dominions more faithful subjects, for they have received great marks of his majesty's fatherly care, and they are grateful for them.

" The remaining part is divided into a great
 " number of coffee, cocoa, and cotton settlements,
 " possessed by a considerable number of the
 " French *Roman Catholic* subjects, through the in-
 " fluence of whose numbers the elections are in
 " the hands of the French, who by this means are
 " the sole makers of the representative body." p.
 46. This species of planters, my L—d, are the
 life and soul of a West-India community, and like
 the yeomanry of England, deserve the greatest
 encouragement. This perhaps is the reason why
 Governor M——ll and his council have been de-
 clared enemies of the new subjects, from the time
 of his finding that he had lost their affections and
 confidence: and as the present paragraph marks
 this enmity in the strongest colours, your L——p
 I hope, will pardon our being more than com-
 monly particular in our strictures upon it. When
 Governor M——ll was convinced that the French
 Roman Catholic subjects would not enlist them-
 selves under him, as his creatures, particularly that
 they would not join in returning such Members of
 Assembly as he thought to his purpose, he imme-
 diately encouraged his partisans to call in question
 the legality of the privileges which were about to
 be accorded to them; and petitions for that pur-
 pose were first privately framed in the Government
 House, and afterwards sent about for signers with
 great industry. The aim of the Governor and
 Council was to throw the whole power of electing
 the Assembly into the hands of the English sub-
 jects residing on the Island, who being few in num-
 ber, and mostly under the direction of the Go-
 vernor

verner and Council, by possession of offices and other emoluments, the assembly would thereby in effect have been chosen by the two other branches of the legislature.—With regard to elections, as the right of voting now stands, no bad consequences can possibly follow the allowing to the new subjects three members out of twenty four. And with respect to their right of voting for the election of the other Members, it seems not only safe but *necessary* for the interest of the proprietors at large, particularly of those who do not reside on the island; for as the new subjects are obliged to vote for the election of twenty four Members, and as they are entitled only to three, there must always be *seven British* elected for *one French*. And it is to be presumed that the new subjects, who cannot be influenced by the hopes of offices, will make such choice of British subjects as will be most likely to protect the rights, liberties and property of the whole community. The new subjects can have no motives of choice, but such as are for the good of the whole, by which means a proper balance will be kept up, and the assembly prove, what it ought to be, a proper check on the naturally encroaching power of the Governor and Council. Every absent proprietor ought to wish that the chief influence in chusing the Assembly be continued in the new subjects, who, for their own sakes, will be careful to elect such Members as they can most safely trust for the protection of their property and privileges. That the proprietors in England were and are entirely of this mind, appears from their different memorials to your L——p, setting forth, that “ continual dissensions prevailed in the Island of G——a, sub-
 “ versive of good order, and essentially affecting
 “ the welfare of the community; and that they
 “ apprehend these disputes to have taken their
 “ rise

“ rise from the depressed situation of his majesty’s
 “ new subjects of the Roman Catholic persuasion;
 “ and the grievances which they laboured under,
 “ and therefore praying, that if it shall be found
 “ consistent with the constitution and laws of these
 “ kingdoms, a *limited* number of the French Ro-
 “ man Catholic subjects might be admitted into
 “ the Council and Assembly.” And at the last
 meeting of proprietors resident in England, at the
 King’s Arms tavern, the purport of all the pre-
 ceding memorials to your L——p, relative to the
 new subjects, was unanimously assented to and
 confirmed.

How devoid of candour then must Mr. M——l’s
 advocates be, who, after their approbation thus
 repeatedly and solemnly given of every thing that
 has been done in favour of the French Roman Ca-
 tholic subjects of G——a, can now commence an
 attack directly levelled against them in this letter,
 and in the still more illiberal performance of Pliny
 Junior? On the other hand, if the right of voting
 for the Members of the Assembly were confined to
 the British proprietors residing upon the spot, the
 number of electors would not only be greatly di-
 minished thereby, which would of itself be pro-
 ductive of bad effects, but it would in a great mea-
 sure, give the chief influence in elections to the
 Governor and Council, who have many lucrative
 offices and other advantages to bestow, in propor-
 tion to the number of electors, and which would in
 fact, annihilate the Assembly as an independent
 branch of the legislature.

“ And, my L——d, it is a melancholy truth, that
 “ under this influence, there are at present of the
 “ Assembly in G——a, one alien, one Member
 “ under age, five without any qualifications, one
 “ with a doubtful qualification, five or six absent
 “ in this kingdom, three officers of the army, and
 “ four

“ four Frenchmen, who do not speak or understand one word of English.” p. 46. We have heard it often said, that when a man will descend to tell a lye, he ought to tell *a good one*, and indeed this is a lye of the first order. To shew the utter falshood of this assertion, as well as for other purposes, we have, my L—d, formed a table, shewing under one view, every Assembly that has sat in G—a, from the completion of the legislature to the present time. This table shews of what Members every Assembly was composed, and points out the changes which took place in consequence of the privileges granted to the new subjects; and it will appear, on a careful inspection of this table, that there is no foundation in truth for the malignant representations made against the new subjects, who, to do them justice, have exercised the powers given them with great impartiality, judgment, and moderation. Vide Appendix, No. 9. And so much, my L—d, is the “ Lieutenant Governor in “ the interest of those men, that they lately ventured wantonly to make a rule, that *seven* Members of the Assembly should make a House, “ whereas the K—g’s instructions, which have “ been communicated to them, positively direct, “ that not less than eleven Members shall be sufficient to make a House to do any business “ whatever.” p. 47. The words Jesuit and St. Omer’s, my L—d, have been sounded without end against Mr. S——n, because he resided during some years of his education at Montpelier; but if ever man penned a more jesuitical, equivocal paragraph than the former, we shall give up the contest. The fact is this, the K—g’s proclamation requires eleven Members to make a House for business; it sometimes happened that eleven did not meet, in which case, whether the number was more or less than seven, they found themselves much puzzled

how to act, for being fewer than eleven they could do no business ; and going away without a regular adjournment, they could not again meet without a formal call or summons for that purpose. This therefore unavoidably obliged them to make a rule, that seven Members might have power to send to the Governor for his leave to adjourn, when they had not a sufficient number to go on business ; and this they did in obedience, not in contravention to the instructions contained in the proclamation ; and yet the Letter-writer is uncandid enough to charge them with having made a rule contrary to an instruction, screening his chicanery under the words, *to do any business whatever* : for sending to the Governor to desire leave to adjourn, was doing *some* business, now they were precluded by the instructions from doing *any* business *whatever*. Can such a cause be served by such an advocate ?

“ The late Council was the bulwark of the English subjects.—They are gone, and now the new subjects, as they *are lovingly called*, have all things in their power.—They have even persons in their power.” p. 47. We have had ample proof what sort of bulwark his majesty’s subjects, both old and new, had in the Council of G——a. As to persons being in their power, we would beg leave to ask Lieut. Ross, Mr. Cazaud, Mr. Chancellerie, and many others, what treatment their persons met with from the Governor and Council of G——a. See the Narrative and Appendix, No. 4 and 5.

“ Those who do not approve of the violent measures in their favour, dare not oppose them, for such is their vindictive spirit, that they unite as one man against all who presume to express their disapprobation of those measures ; of this man they will buy no goods ; that, they will not employ ; a third has his provisions spoiled
“ on

" on his hands, &c." p. 48. This is the first time, my L—d, that we have heard of a combination amongst the adopted subjects, and give us leave to assure your L——p, that it exists only in the Letter-writer's brain. The attachment of the new subjects to the natural born subjects of his M——y, is well known, their utmost ambition is to be received amongst them, and to be so intirely incorporated with them, as that all distinctions may cease. It is amazing, that this man will persist in making attacks on that very ground which he can least defend. The combinations of Mr. M——ll's party, against some of the principal merchants in G——a, are well known. Nay, the spirit of persecution in that Island, and the trade of tale-bearing and informing had got to such a length before Mr. M——ll's departure from G——a, that it would have been safer to talk on matters of government, or even common topics of discourse before spies of the Police in Paris, than before his sycophants in G——a; and the treatment of those who should be unhappy enough to offend, would be much more lenient, and tolerable for a gentleman, in the Bastile of the one country, than in the Fort of the other. Vide Appendix, No. 4 and 5.

" This, my L—d, will, in some measure, account for the puffs given to your L—p of the " late tranquillity of the Colony," p. 48. Here the true secret is left out, of all the late efforts of the Council to disturb the peace of G——a. They wished, and were determined to create confusion, that they might take off the impression against Governor M——ll, which had been encreased by the contrast arising from the felicity which the inhabitants enjoyed immediately upon his departure. The *puffs* alluded to must be the repeated addresses of *

* It is remarkable, that even the Council addressed, and

both branches of the legislature, full of gratitude and affection, and marking in the strongest colours, the happy change of circumstances in the Colony ; not to mention the general tenor of private letters, continued for so long a space of time. These must have been strong *puffs* indeed, my L—d, that the breath of malice has not in eighteen months been able to blow away.

“ The suspension of the Council hath given
 “ such universal disgust to all the English subjects,
 “ that many of them have publicly declared, that
 “ they will pay no taxes which are imposed by
 “ any law passed with the consent of the new
 “ Council, &c.” p. 49. This is a most daring
 threat, but indeed the factious Members of the
 old C—l had gone so near upon rebellion before,
 that this step only was wanting to compleat it. *Universal disgust*.* We believe, that on enquiry, it will

that their factious spirit did not break forth till it was roused by the return of their President from England. And, if circumstances are well weighed, we fancy it will be found, that the plan of operations was laid not in G—a, but in Fludyer Street. In the month of October, Mr. M—ll proposed to leave London. The odious tranquillity of G—a must be disturbed, that he might arrive in the midst of their confusion. The commencement of hostilities therefore, we find took place in September, (rather too soon) for the party hoped, that the news of their disputes with the L—t G—r could not reach his M—y's M—s before the G—r had got out to sea, and that his subsequent representations would get them restored to Council, in case the L—t G—r, as he has done, should proceed to suspension.

* What the universal disgust is, the following genuine copy of a paper (signed in G—a, October 23, when the last ships came away) will shew. “ Whereas it is asserted and sup-
 “ posed that the friends and dependants of some gentlemen
 “ lately suspended from his M—y's Council have trans-
 “ mitted home an address or declaration under the name of
 “ the Principal Merchants and Planters of the I—d of
 “ G—a, and expressive of dissatisfaction at the said suspen-
 “ sion ; and whereas it is well known, that instances have
 “ already happened, of a few individuals privately assuming
 “ to

be found, that no measure of government ever gave more universal satisfaction. In the Address of the Assembly of G——a to the L——t G——r, dated October 26, 1769, fourteen days after the suspension of the six Counsellors, we find these words, “ His M——y’s most gracious plan for the formation of a full and compleat legislature, upon a lasting and permanent foundation, being now accomplished by you, must become a *happy era* in this Colony, for the welfare and prosperity of which the best of kings has formed the most just and benevolent designs, nor could he have confided the execution of them to a person of more distinguished *impartiality* and moderation.—And we are confident that a continuation of the same *steadiness* you have *hitherto shewn, in discountenancing and defeating all factious designs, will insure to us that harmony and tranquillity*

“ to themselves the name of the Principal Inhabitants, and imposing their opinion for the general sense of the Colony, we therefore whose names are hereunto subscribed, and who are Merchants, Planters, and other Inhabitants of this I——d, willing to prevent any such imposition from taking effect in the present case, do hereby declare that no such paper, address, or declaration, containing a dissatisfaction at such suspension was publicly communicated or offered to the Principal Merchants, or Planters, or other Inhabitants of this I——d, or by any means contains the general sense of the Colony. We, at the same time, declare, that we do not pretend to give any public approbation or censure of the said measure, leaving such discussion as properly becomes us to his M——y, and the Legislature of the Colony. We cannot, however, but express the result of our feelings upon the happiness we enjoy, since his honour, G——r F—— M——ee, our present Commander in chief, has during his administration, established tranquillity and harmony among us, and we believe that the goodness of his disposition, and his desire of promoting the real welfare of the Colony are universally acknowledged.”

St. George’s Grenada, the 23d day of October, 1769.

which

" *which we have enjoyed during the time you have*
 " *presided over us.*

" By Order of the House,

" (Signed)

" ALEX. WINNIETT, Speaker."

" Thus is distraction added to distraction, and
 " nothing but anarchy and irrecoverable confusion
 " will ensue in the Island," p. 49. There have
 been no distractions in the Island, but what were
 occasioned by the suspended Members, for eighteen
 months past; they arose from them; they ceased
 with them; and will arise again if they are restored.

" The very fountain of justice is polluted, and
 " no longer flows free and uncorrupt.—Politicks,
 " and politicks only, occupy the attention of the
 " present Ad—st—n in G—a. In vain is a
 " C—t of Ch—nc—ry established in the Island,
 " for the relief of the king's subjects.—In vain do
 " they resort to it for equity. It is a truth, my
 " L—d, that the Lieutenant Governor, who as
 " C—r in Ch—f, is Ch—ll—r of the Island,
 " has not held that Court, for a very considerable
 " time before the last accounts left the Island."

p. 50. When so a malignant a charge as this is
 brought, it ought to be very explicit and clear;
 instances of corruption should be given; and
 proofs should follow the accusation. This is the
 manner, which we have pursued in our narrative;
 we advance nothing which we do not prove; we
 expect credit for nothing which we do not demon-
 strate. Here, my L—d, is a charge of the heaviest
 nature brought against Mr. F—m—e, without one
 allegation in support of it; nay, the very charge
 defeats itself, for it is inconsistent. How can the
 course of justice be corrupt, if it has not
 been exercised? How can it flow polluted and
 impure, if it does not flow at all? By the first
 words of the accusation, we are led to ima-
 gine,

gine, that Mr. F——m——ce had *tampered* with the *Courts of Justice*, that he had *influenced Judges and Juries*, that he had given *unjust decrees*; or that he had administered *Equity*, pardon the solecism, *partially*. No, my L——d, none of these crimes can be laid at his door: the sequel of the charge shews, that in point of the administration of justice, no complaint can be brought against him, except that of not having held a Court of Chancery for some time before the last ships left G——n——a; and even for this fault, they have assigned a reason, *furnished too by themselves*: He was taken up with *politricks*; that is, they had found him so much employment of another nature, that from the 24th of August 'till the 23d of October, he had not been able to hold a Court of Chancery. And before the 24th of August he had been for some time absent from G——n——a on a tour to the other islands under his government. It can scarcely be imagined, that the Colony would suffer very essentially by the Lieutenant Governor's not holding a Court of Chancery in two months. Perhaps it would be lucky, both for the community at large, and for individuals, if his predecessor had not held one in two years, or if he had never held one at all. *Vide the Narrative.*

" One thing more, my L——d, to fill up the
 " measure of the woes of those distressed subjects."
 "——And again, " the K——g's natural-born sub-
 " jects adventured their persons and property in
 " G——n——a, under the fullest assurances of the
 " protection and support of Government, *vide the*
 " K——g's proclamation of Oct. 1763. And,
 " my L——d, never suffer it to be said, *with*
 " *truth*, that they in vain seek that protection and
 " support, (p. 50.)."—— The natural-born sub-
 jects of his M——y, my L——d, interested in
 the island of G——n——a, as well resident in Eng-
 land,

land, as upon the spot, have, (a few disappointed people excepted, Mr. M——ll and his creatures) from the beginning manifested the strongest desire to reconcile and incorporate the new subjects with the old, and to take away as much as possible, all distinctions; wisely seeing, that as their interests were inseparable, they could not be too assiduous to gain their affections. And, indeed, in this they did no more than justice; for the capitulation of the island gave them the constitution of the most favoured Colonies, and the above-mentioned proclamation confirmed it to them, with every right and privilege of British subjects.—— It is truly diverting, my L——d, to hear these unfortunate Complainants call themselves, poor “*distressed subjects*,” when they can complain of nothing but being out of power. It is just such sort of distress as many fellow-sufferers in English politicks, labour under at present, without being able to raise much fellow-feeling.

“ Reflect what would be their situation in the “ event of a war, (p. 50)”——So say we, my L——d; had we submitted to the public consideration, whether the new subjects are most likely to be faithful and true to their allegiance, if treated by the old subjects as brethren embarked in the same cause; or as slaves to be kept only in subjection by the scourge of Penal Laws.

“ The Author of these sheets, my L——d, “ hath a large property in G——n——a: He feels “ for it; and he cannot long keep it, if the present system of politicks is pursued, with regard “ to that island, (p. 51.)——This leads us, naturally to enquire, my L——d, who the Author of this curious Letter is.

On attentively comparing this Letter with two publications in the Political Registers for the Months of May and September last, it will be found

found that they are productions of the same pen. Not only the same stile and turn of thinking, but the same sentences, the same misrepresentations, and the same attacks (though differently conducted) on Administration. This sufficiently proves the Author of the Letter in question, to have been the Author of the two performances in the Political Register; for though T——s M——r fathers the composition, yet he is not the Author; for by the Author can only be meant, the man who furnished the materials, not the man who corrected them for the press. If then, we can discover who it was, that wrote those papers in the Political Register, we shall discover the Author of this Letter. And to this we shall come very near, for we not only venture to say, but we assert, we pronounce the Letters in question of the Political Register of May and September last, to have been either the production of your L——p, or of Governor M——ll, and we shall prove it. Be not surprized, my L——d, at this assertion, nor offended at our freedom in telling the truth; though we cannot push our researches farther, the public will aid us, and fix it upon the proper Author, without even the shadow of doubt. But to come to our proof: ——— In the last publication in the Political Register of September, on this subject, there is inserted a memorial to Governor M——ll, which leads to the truth. This memorial could only have been in the possession of your L——p or of Governor M——ll; therefore one of you must have furnished it. Nay farther, one of you, my L——d, must have written the memorial itself; for it makes mention of the *R——l instructions, under the K——g's sign manual*, which could only be known to your L——p or to Governor M——ll. Our love of truth, my
G L——d,

L——d, obliges us to declare, that it is very difficult for us to say, whether it is most likely that your L——p or the Governor should be the Author, though it is clear as the sun at noon-day, that one of you must. For on the one hand, if it be said that your L——p has no property in G——a, and that it is improbable that you should write a memorial in England to be signed in G——a, yet on the other hand, tho' Mr. M——ll has a large, a very large property, acquired during his government in G——a, is it not very improbable that he should pen a memorial *to himself*? Besides, the words *Honour, Disinterestedness, Integrity, Wisdom, Application, Prudence, Moderation, worthy Governor, most excellent Governor, attachment to the Constitution of Great Britain, spirited Conduct, Activity, Resolution*, with not only all the *Cardinal*, but all the *Catalogue of Virtues*, are applied to Governor M——ll in every page of this memorial, and of these performances: Now it is impossible that a man of his modesty should ever have applied them to himself. And yet it is very odd that this same word *Modesty* has not once appeared in the whole of these works!——Again, it is worthy of observation, that Mr. M——ll's name is not once rightly spelled in either performance: Now, a man must be very illiterate indeed, who cannot spell his own name. The public, however, my L——d, will, as we have already said, settle this knotty point, which has proved too much for Us, and fix the work upon its right Author.

“ It is in your L——p's power to give immediate relief; truth forces more from me my
 “ L——d,——It is in your power, with a
 “ little pains, to put a final end to the differences
 “ and heart-burnings which subsist in the island.
 “ It must be repeated, my L——d, *These things*
 “ are

“ *are in your power*, (p. 51.)” — Did even a Gazetteer ever write with such impudence and bad manners!

“ But, my L——d, I may be told, that having ascribed to you the *power*, I ought to point out to you the *means* of relief for G—n—a. That too, I will presume to do, (p. 51.)” —

Was there ever so *presuming* or ill-bred a scribbler?

“ *Know then*, my L——d, that, for the immediate relief of that island, it is necessary that some person should be ordered out, capable to administer the K——g’s government, (p. 51.)”

—— So far agreed, provided that the word *ordered* does not point at Mr. M——ll.

“ That the deprived Members of the Council should be immediately restored, with an approbation of their conduct, (p. 52.)” — God forbid! there wants nothing more in the words of the Letter-Writer, “ to add distraction to distraction, and to entail anarchy on the island, and irrecoverable confusion.” The diction of this sentence is so classical, that we could not avoid making it our own.

“ And effectual measures should be taken, to prevent a continuation of that influence of the French Roman Catholicks at Elections, which causes the whole representative body, except the Members for the capital town, to be the creation of those subjects, (p. 52.)” — Here the mask falls off entirely, laying bare that design, which is to be further explained and prosecuted by Pliny Junior. Here appears the finger of the *active, resolute* Governor M——ll. — And are these the methods of restoring peace and tranquillity to G—n—a? Even Governor M——ll and his Council, have determined the right of voting at elections to be *legal* and *expedient* in the French

Roman Catholick subjects of G—n—a; they have enjoyed that privilege, they have obtained others, and shall they now be deprived of them? Better those privileges had never been given! Better the new subjects had been treated like slaves from the beginning! for that would have driven them from the island. And would it not be more eligible, in case of a war, that his M—y should have no s—bj—ts in this island, than such as are rendered discontented and desperate.

“What may be necessary effectually to re-
 “establish the tranquility of, and to restore *har-*
 “*mony* and *confidence* in the island, seems, my
 “L—d, to be one of two things; *first*, If fa-
 “tal consequences have resulted from the admis-
 “sion of French Roman Catholicks into the
 “Legislature and Magistracy, let the *British Con-*
 “*stitution* be restored to the island: Or, *secondly*,
 “if it be thought necessary and expedient to give
 “those subjects a small share of power, under
 “certain limitations and restrictions, let it be
 “done by an *Act of Parliament*, taking effectual
 “care at the same time, to defeat their *harmful*
 “influence at elections, (p. 57.)” What degree
 of *confidence*, my L—d, must this man have,
 who persists in recommending this method of re-
 storing *harmony*! The French Roman Catholick
 subjects, are about two thirds of the inhabitants of
 the island; take away their right of voting at elec-
 tions; render them incapable of holding the least
 share of legislation or executive offices, and you
 will secure perfect harmony to the island! —
 We know not whether there is more effrontery
 or malevolence in this page. The words, “let
 “the British Constitution be restored,” seem to
 insinuate, that the privileges granted to the Roman
 Catholick new subjects of G—n—a, are an *infringe-*
ment

ment of the British Constitution; than which there can be nothing more false. Indeed the subsequent words allow this, for even an *act of parliament cannot sanctify any thing which saps the fundamentals of the British Constitution*. As to the best mode of settling these matters on a permanent and clear footing, it would appear to us, that none would be more proper than for the legislature of G——a to pass a bill for that purpose, to be confirmed at home.

“ One thing more, my L—d, and I will take
 “ my leave. Your Lordship, from your situation,
 “ possibly saw a Pamphlet, sometime since published, entitled, *The G——a Planter*.—If your
 “ Lordship recollects it at all, you must know that
 “ it was a despicable and pitiful performance;
 “ made up of the most palpable and malicious
 “ falsehoods; and published with the apparent design of injuring the Gentleman who now holds
 “ his M—y’s commission of Governor, &c.”

This, my L—d, is a very concise method of answering a Pamphlet entirely made up of facts; *A despicable and pitiful performance, palpably false and malicious*. A very pointed refutation this, of all the enormities contained in that letter! But it may be prudent to reply thus, to charges which admit of no answer or exculpation; it would have been more prudent however to have said nothing. Without entering farther into the merits of this Pamphlet here, or enquiring who was the author of it, or what were his motives for the publication, suffice it to say, that *we adopt* the contents of it. Your L——p will find them all proved in the subsequent Narrative. In regard of the work itself, having adopted it, all that modesty allows us to say is, that the Letter-writer was so struck with its

its "*pomp and majesty*" p. 54. that he could not answer it.

We have great reason, my L—d, to beg your L—p's forgiveness for trespassing on your time and patience by so minute a refutation of a work, which indeed is utterly unworthy of your L—p's notice, or the attention of the public ; and which in every page refutes itself. We shall now hasten to our Narrative, for which we crave your L—p's indulgence ; and we shall detain you no longer on the present subject than just to offer, with the utmost deference and respect, our thoughts on what, we conceive, has been the cause of the late disturbances in G—a, and what we humbly conceive would restore peace and concord to that Island.— It appears clearly to us, my L—d, that the late disturbances in G—a, took their rise from the Members of his Majesty's Council assuming to themselves various privileges incompatible with their institution, and the rights and privileges of the Assembly ; and from the endeavours which were used to instill religious prejudices into the minds of the old subjects, tending to deprive the new of their right of suffrage at elections. Proofs of this will occur at large in the Narrative, at present we shall only mention,

" An act, or instrument, from the Council, creating themselves sole and perpetual returning officers."

" Counsellors actually exercising that office, *by the first ordinance.*"

" The Council calling several of the inhabitants before them, and punishing them *for contempt*, by imprisonment, at a time when the Assembly was prorogued and dissolved, (consequently when they could not meet in a legislative capacity) and binding

ing many of the inhabitants under excessive bail, and even refusing bail to others."

" Their encouraging illiberal and indecent petitions against his majesty's new adopted subjects, tending to take away their right of voting; declaring them aliens, and disaffected to government.."

" Their dismissing a man who had been imprisoned by the Assembly for a breach of privilege and contempt."

These have been the causes of the late disturbances; to remedy them, we think it would be expedient for the proprietors of lands in G——a, to make an humble representation to his majesty's ministers, praying, that the plan for admitting his majesty's new adopted Roman Catholic subjects to a share of the legislative and executive parts of the government of G——a be carried into execution in all its parts, as the most efficacious measure for quieting the late disturbances; and that an act of the legislature of the Colony, should be recommended to be passed for that purpose, with a particular provision that none of the said new adopted subjects should ever be capable of becoming Commander in Chief, President, or Chancellor of the Island, and that they should cease to be Counsellors, Judges, Members of the Assembly, or Justices of Peace, on becoming possessed of any landed estates in France, or in any of the French West India Colonies; or, on quitting the Island, without leave first obtained from his majesty, or his Commander in Chief for the time being. And (as the latest accounts from G——a shew, that the suspension of six Members of the Council has contributed much to the restoration of harmony in the Island) also praying that the suspension of the said six Membeas of the Council of G——a be confirmed.

The

The whole, my L—d, is with the greatest deference and respect submitted to your L—p's candor and indulgence, by

My L—d;

Your L—p's

most Obedient and

most humble Servants,

Many real Proprietors of Grenada.

A
NARRATIVE
O F

Governor M----ll's Administration
In the Island of G--N--A.

WHEN a man confines himself within the narrow circle of his family and friends, and to the management of his own private affairs, it is always impertinent, most frequently hurtful, and very seldom can be useful, to drag that man from the shade and obscurity in which he chuses to live, and to render either his character or conduct, whatever they may be, the object of the world's curiosity or examination. But the case comes to be entirely altered, when the same man steps forth into public life, and either obtains or aspires to offices of high power and trust, by which means the happiness, prosperity, and even property of thousands, are made dependant upon him. Then it becomes not only the right of every free-born Englishman, but even his duty, as a lover of his country and mankind, to examine into, and publish what he knows of the character and conduct of that person, both public and private, at least as far as the latter can be supposed to influence the former; so that if he

H

be

be a good man, he may be recommended to the favour and affection of the public, and of those with whom he may be more immediately connected; but if a bad man, that all may be warned against him, and he may be disappointed in what he aspires to, or deprived of what he has obtained, when so greatly unworthy of it.

It is on this principle, and without any farther preamble, that we beg leave to lay before the public, the history of Mr. M——ll's administration while Governor of G——a: with facts and reflections upon them, highly interesting in their consequences to the whole British Empire, but most particularly and immediately interesting to that Colony, which is at present the most valuable acquisition made by us at the late peace.

The inhabitants of G——n—a and the G——dines were the only conquered French in the West-Indies who had the happiness to remain, at the treaty of peace, subjects of Great-Britain: for a happiness they then thought it, and ever did so, till they came to groan under the political and religious persecutions of Mr. M——ll: and a happiness they think and feel it at present, now that the cause of their grievances is at a distance, and, we venture to assert, ever will continue to think so, provided a certain event, as much dreaded by their fellow-subjects the British settlers in that Island as by them, does not take place, to prevent which, we candidly own, is the principal object of our present undertaking.

On the submission of G——n—a and its dependencies, General M——n appointed Colonel S——t Governor, who was afterwards confirmed by his majesty. That gentleman, though a mili-

tary Governor, acting from the principles of good sense and equity, and with a regard for the natural rights of mankind, retained, during his administration, both the old and new inhabitants in perfect union and tranquility: no distinctions, whether national or religious, were then heard of; and even the English, though living under a sort of arbitrary government, were as happy and contented as it was possible for them to be in such a situation: it was natural for them to look forward with impatience for the time when they should have the full enjoyment of all the privileges of British subjects; and they no doubt communicated some of that natural impatience to their fellow subjects the French, then living with them in perfect union and harmony.

At last, in December 1764, Governor M——— arrived with authority, and a commission to establish English courts of judicature, and to complete the legislature by causing an assembly to be elected. The latter, for reasons best known to himself, though we may form conjectures about some of them, he delayed till April 1766. In the mean time, to do him that impartial justice which we shall always endeavour to observe towards him, it must be confessed; that he committed none of those flagrant acts of enormity, and breaches of the constitution, which have since distinguished his administration: for, except clandestinely encouraging petitions to himself and council against individuals who happened to be the object of his private spite; as in the case of Mr. B——— the Collector; except his bare-faced partiality in the appointment of justices of the peace, chiefly creatures of his own, and most emphatically stiled Trading Justices, for most of the town Justices had no other trade to live by; except his endeavours to render an Assembly useless, by

attempting to raise money for publick purposes by private subscriptions ; except his strenuous efforts, by proclamations, and erecting courts of Exchequer, to maintain and levy taxes imposed not by the consent of the people, but by Royal prerogative ; except his sending his own clerk to levy the unconstitutional capitation tax, upon which one half of his salary, as Governor, was charged ; we say, excepting these things, there are but few complaints against his conduct during that period : and these are but mere peccadillos, when compared with his subsequent acts : therefore we shall dwell no longer on these points.

In December 1765 Governor M——ll received positive orders to complete the legislature by calling an assembly. This gave him an opportunity to display that low craft and cunning which will be found to be the distinguishing feature of this gentleman's character ; and he failed not to lay hold of it, though by this means he over-reached himself, and rendered his design abortive. He carefully concealed for a time those orders from all but his favourites and dependants, who made use of this interval to make application to the voters, and secure their elections : but unluckily, from an ignorance of the laws and constitution of his country, unpardonable in a Governor, he took it into his head, that the new adopted subjects were not entitled to vote in elections ; and instilling the same notion into his creatures, they therefore neglected making any application to them : but those who had not the same intercourse with Mr. M——ll, and were better informed, applied to them, secured their votes, and partly by that means their elections. Mr. M——ll's friends on seeing their error, endeavoured to follow the example, but it was too late, and very few of them were returned.

It

It may not be amiss to explain this point at some length. We believe it is a general notion in England, that Roman Catholicks cannot vote at elections of Members of Parliament, &c. on account of their religion: but this is a vulgar error: the only oaths necessary to be taken by Electors, as is well known, are the oaths of allegiance, abjuration, and supremacy: but the English and Irish Catholicks universally refuse to take the latter, and it is on that account only that they are denied the privilege of voting. It is quite otherwise with the Catholicks of the Gallican church, who universally deny the supremacy of the Pope, and acknowledge that of their own Sovereign; therefore when a French Catholick becomes a British subject, and takes the oath of allegiance to the British Sovereign, he never will refuse the oath of abjuration and supremacy, for that is indeed a natural consequence of an oath of allegiance, and is agreeable to his education and principles; so that our new adopted French fellow-subjects ought to be accounted as differing essentially from papists in this respect, and as differing from us only in the belief of certain tenets and the usage of some ceremonies, which, however erroneous in our eyes, have no direct tendency to make them worse men, certainly not worse subjects: for upon the acknowledgment of the Pope's supremacy depend all those tenets; such as his power to absolve subjects from their allegiance to their temporal Sovereign, &c. which so justly render Popery exceptionable in a political view, and have certainly been the chief occasion of laying the professors of that Religion under so many restraints among us. Members of the Gallican church, rejecting those pernicious tenets, are certainly less obnoxious, politically considered, than our own natural born Catholick subjects; therefore when Gallican Catholicks become

become British subjects, were they even entitled to nothing from treaties and capitulations, which however, will not be asserted, they have an undoubted claim, from their avowed principles, and the nature of things, to greater privileges than our own Catholics. This matter would not bear a dispute here in England, it could not be refused them; even the silent operation of the laws would give it them.

How much more ought this to be the case in a newly acquired colony, where such men constitute the body of the inhabitants, and have voluntarily become our fellow-subjects? Every motive of justice and equity, not to say good policy, requires it.

An impartial man, therefore, must greatly wonder at the loud and pathetic lamentations poured forth by Governor M——ll, on account of larger indulgences being allowed by government to conquered French Papists, as he calls them, than to our own natural-born Catholics. He must immediately perceive, that such expressions can only be calculated to catch the prejudices of weak minds, the Methodistic vulgar in South, and the Covenanting vulgar in North Britain. He could not derive such a conduct, if it does not proceed from hypocrisy, from any other source than profound ignorance or innate malignity, or a persecuting spirit, or perhaps a mixture of all three. He must be sensible that a person of that character is altogether unfit to be entrusted with power any where, far less in a colony so constituted as G——a, which certainly requires a governor endued with the most comprehensive charity, and actuated by the most liberal principles.

We have insisted at the greater length on this distinction between the Gallican and other Catholics,

licks, because it is of infinite consequence in this argument, and has not been attended to in the late declamatory publications.

But Mr. M——ll was not of a temper to give up a point in which, from prejudices and interest, he was so deeply concerned. Finding his creatures unsuccessful in their endeavours to gain the votes of the old inhabitants, he endeavoured to deprive them of their *right* of voting. For this purpose he had recourse to a stroke of Cromwellian policy, afterwards very familiar to him. With his privity a memorial was drawn up, (which being so great a master-piece for stile and matter, we have inserted in the Appendix, N^o 1.) and after being signed by seventeen, four of whom, however, retracted, and made an apology to the new subjects, it was presented to himself and his Council. It contained a warm remonstrance against allowing the new subjects liberty to vote; it declared them Aliens by our law; it expressed the most dreadful apprehensions on that score, and concluded with an earnest prayer to his Excellency and Council to take measures to prevent it.

Great pains were taken to conceal this memorial both from the old and new subjects, but its contents having transpired, counter-memorials† were presented, complaining of it as unjust and unconstitutional, signed by almost all the new subjects, and by thrice the number of old that subscribed the first. By this means, contrary to the original intention, the matter came to a speedy and publick discussion. A day was appointed for the parties to appear in support of their respective claims and allegations before the Governor and Council. Both sides being heard on the 3^d of January, 1766, were ordered to withdraw. The Council resolved, one voice only dissenting, Mr. J——n

† See Appendix, No. 16.

G——m, the lately suspended President, “ that
 “ the new subjects, taking the oaths of allegiance
 “ and abjuration, and having freeholds, had a
 “ *legal* right to vote at elections.” Desperate as
 the game might now seem, his Excellency was not
 disposed to give it up; he immediately put a
 question, the strangest and most improper that
 ever came from a person in his station: “ whether
 “ it was *expedient* to *allow* the new subjects this
 “ their *legal* right?” He lost this question likewise,
 but had the good fortune to be joined in it by
 another of his friends. Besides the aforesaid Mr.
 J——G——m, Mr. R——t T——r, who by the
 bye had before-voted for the legality, voted now
 against the expediency.

But what idea must a Governor, capable of
 putting such a question, entertain of the British
 Government, which being a government of law
 and not of expediency, squares itself by the rigid
 letter of the law; and when once that is declared,
 knows not what expediency is? 'Tis happy for
 Mr. M——ll that he lives in times when the
 majority of the Legislature seem more alarmed at
 the present licentiousness of the people than at any
 encroachments by the administering or executive
 part of the Constitution. In times of another
 complection, we should not have wondered if such
 a motion, proceeding from a chief Governor, had
 been followed by a parliamentary impeachment
 against him, at least a declaration of his being in-
 capable of holding any office of power or trust. If
 we blame such principles even in a Turkish Ba-
 shaw, are they to be tolerated in an English Gover-
 nor?

The first Assembly of G——n——a met on the
 15th of April 1766. That island was then in a
 most alarming and critical situation. Great num-
 bers of run-away and rebellious Negroes had taken
 refuge

refuge in the woods and mountains, and from thence daily infested the open country, committing every where robberies, depredations, and murders. The terror was so universal, and the danger so great, that the planters were obliged to arm their most trusty slaves, and plant nightly guards round their houses; they durst not travel to the capital, or from one plantation to another, but in companies, provided with pistols, and surrounded by Negroes they could depend upon, furnished with cutlasses and fire-arms. The first measure embraced by the Assembly was to suppress this evil which threatened the immediate ruin and depopulation of the Colony. They framed a law for that purpose, and sent it up to the Council, then sitting in their legislative capacity. But Mr. M ———, from motives into which his subsequent conduct may afford some light, was determined, that this salutary, and indeed necessary measure, should not take effect. And in pursuit of this scheme he displayed the same arbitrary disposition, the same disregard for the constitution, and the same profound ignorance of its first principles. The Council, as we before observed, was then sitting in its legislative capacity, notwithstanding which the Governor still continued to preside in it, and exerted his influence in carrying amendments made by the Council to bills sent up by the Assembly.

It ought to be unknown to no man that the constitutions of all our Colonies are framed in imitation of that of Great Britain; they are, as it were, models of it in miniature; it is true there may be some trivial differences arising from particular situations and circumstances; but still the great outlines are religiously preserved, and the same in them all. Nothing is more uncontro-

vertible than that it is highly irregular and unconstitutional for the Crown to take notice by message, or otherwise, of any public bill, whilst depending in either House of Parliament. There lives not that minister who would advise such a measure. But what would we say should his majesty repair in person to the House of Lords, when a popular bill from the Commons was under agitation, preside there, and propose and carry amendments by his influence? We should reckon from that moment the constitution unhinged; whatever the two Houses might be, the whole nation would be instantly in a flame; and a civil war itself might be the consequence. In Britain the King, Lords, and Commons; in the Colonies, the Governor, Council, and Assembly are three distinct and immiscible branches; and their joint consent, though separately obtained, is requisite for the final effect of any law. It is therefore repugnant to common sense, indeed a contradiction in terms, that one branch should be at the same time a distinct branch by itself, and a part or member of another branch. In this case, as in most others, our excellent constitution is founded on common sense, and supported by it. An act, therefore, of this nature, must be the highest absurdity, and a solecism in politics; yet such was Mr. M——ll's constant practice. What then are we to think of him as a representative of the British monarch, who avowedly, and in the face of the sun, did that which the sovereign himself dares not attempt?

So earnest were the Assembly to get this most necessary bill passed into a law that they do not seem to have taken any notice of this procedure, equally absurd and unconstitutional, but agreed to all the amendments proposed by the Governor and Council,

Council, excepting one, which however they did not reject, but in a manner amended only. In all the British Colonies, excepting one government, the Assembly nominates the public Treasurer; and this seems to be one of the trivial differences already hinted at, between the constitution of the Mother Country and her Colonies, though, as it may be observed, in favour of the democracy. Agreeable to this practice, to which there is only one exception, the Assembly had inserted in their bill, *by the Treasurer of the Colony hereafter to be appointed by the Assembly*; the Governor and his Council made the following amendment, *by the Treasurer of the Colony to be appointed by his Majesty's Representative*. The Assembly not caring to give up what they thought their right, at least in an indirect manner, and unwilling to give the Governor and his Council any handle to reject their bill, left the mode of the Treasurer's appointment undetermined, by inserting in their final amendment these words only, *by the Treasurer of the Colony*.

Mr. M—— still obstinately determined to obstruct the passing of that necessary and indispensable law, and finding that his finesse of multiplying amendments, and his absurdly presiding in the Council when sitting in a legislative capacity, were ineffectual for that purpose, had recourse to the force of his prerogative. In the first place, as if he was destined in every step he took to display his ignorance of the constitution, even in its most simple forms, he sent a message to the Assembly, by a Member of the Council, letting them know he intended to set out on a tour to visit the other Islands of his government, and desiring them to chuse one of the three following days, the 17th of May (Saturday) the 19th (Monday) or the 20th, to which they should adjourn. The As-

sembly very naturally chose Monday the 19th, as that was the most convenient day to them, at least for beginning to do business *. Mr. M——ll, after adjourning the Council *sine die*, which every body knows is equivalent to a prorogation, and most unconstitutional, when the Assembly was only adjourned, set out next day on his pretended tour; for that it was no other appears from this, that he did not so much as come in sight of any of the islands he pretended to visit. After his return, the Assembly having met on the day appointed, congratulated their Governor on his safe return from his extensive tour, who in return answered, that he thanked the Gentlemen *belonging* to the Assembly.

There may be much profound meaning and latent significance in words apparently indifferent: Mr. M——ll thanked the gentlemen *belonging* to the Assembly, not the gentlemen *of* the Assembly, which is the usual style. His gross ignorance of our constitution, and his utter unacquaintedness with or disregard of its forms, have been often descanted on already, indeed they occur at every step; but here he gives a more extraordinary instance of them than he had yet done, and not content with that, he plays at cross purposes with himself. He had in effect prorogued the Council by adjourning them *sine die*, but of this he does not appear to be sensible; the Assembly was only adjourned to a certain day, and he takes it into his head, that the Assembly by adjourning in obedience to his desire, had actually dissolved themselves; therefore, that he might speak consistently with his meaning, however inconsistent that might be with common sense, he thanked the gentlemen *belonging to*, not *of* the Assembly.

* See Appendix, No. 18.

But be this as it may, it is certain that henceforth he no longer considered them as an Assembly. The savage depredations and murders of the rebellious negroes still continuing, and an universal terror and alarm being spread over the Island, the Assembly prepared and passed new bills for the purposes already mentioned, unexceptionable as to matter and form, and by a verbal message requested the Governor to convene the Council, in order to their being passed into a law. They received for answer from Major Charleton, the Fort Adjutant, that his Excellency was busy and not to be seen, and that as they could not be informed when his Excellency would be *visible*, their message was required in writing. Accordingly, a written message was sent *, and ordered by the House to be left for his Excellency's perusal, in case he should still continue *invisible*. The two Members sent with it, on their return informed the House, that his Excellency *not being visible*, they had delivered the message of the House in writing to the Fort Adjutant, requesting to be informed at what time an answer would be made by his Excellency, who sent down word, *that he had no answer to give*. There is something extremely risible as well as characteristic on the part of Mr. M—— in these proceedings.

Here was an answer from the limited representative of a limited Prince to a constituent branch of the legislature, addressing him in a constitutional manner, in a most critical situation, on the most important concerns of his government, wherein the properties and lives of all the people in it were most nearly interested! A parallel to this, we will venture to affirm, is not to be found in the annals of our

* See this message in the Appendix. No. 18.

most arbitrary monarchs, not of the Tudors themselves.

The Assembly, justly irritated at this contemptuous treatment, and instigated besides by still more important motives, drew up a very warm and spirited remonstrance against him, with an intention to present it to him, that it might be transmitted home in a regular manner to his Majesty. But this step he rendered abortive, by a manœuvre of that low cunning usually called left-handed wisdom, which is a distinguishing feature in his character. Besides his own devoted creatures, he prevailed by some means or other, on one or two Members more to be absent at this critical moment; so that as a House, which must consist of eleven, the whole being but twenty one, could not be formed, no business could be done. The Speaker and ten were met, in expectation of more, when Mr. M—— published the proclamation of their dissolution by *beat of drum*, at ten in the morning, though they were sitting in the next house to his own. They sat an hour after their dissolution, and when informed of it, every man departed to his own home.

Thus were the inhabitants of G——a deprived of all legal resource against their own rebellious slaves. But they could not be deprived of having recourse to the first law of nature, that of self-defence. They raised subscriptions, entered into associations, sent out parties, and for a while kept these cruel and lawless banditti at bay. It is not easy to conceive how unpopular this worthy Governor, as, by an inversion of the meaning of words he generally stiles himself in his own publications, rendered himself by dissolving the Assembly when employed on so interesting a measure. Nor was his unpopularity confined to the Island of G——a. He was little

little less the object of public hatred at D—a. Mr. C—ll, appointed at home Chief Justice of that Island dying at Barbadoes, he nominated in his room one Mr. H—ll, a reduced shop-keeper, then clerk to Mr. W—dbridge, merchant in D—a; a man from his education and former manner of life, totally ignorant of jurisprudence, and unacquainted with the laws. This judge was soon superseded by the appointment of Mr. A—d from England. Complaints were made against this person, whose character we do not mean to support. He was, however, entitled, as he required, to be heard in his own defence. But for this Mr. M—ll would neither allow him time nor opportunity. He suspended him unheard, and in his absence, reinstating Mr. H—ll; but Mr. A—d was soon restored, by orders from the Ministry, and still continues in office.

But that he might not be equally the object of odium in every part of his government, Mr. M—ll to ingratiate himself with the inhabitants of St. V—ts, gave up the choicest and most undoubted prerogative of the crown. Upon the resignation of Mr. O—y, Deputy Governor of that island, he sent a blank commission to a Justice of Peace there, desiring him at the same time to call the inhabitants, in order to chuse their Governor, ordering him to fill up the blank with the name of the person elected, which was accordingly done.

Among the numberless instances which occur of Mr. M—ll's ignorance of our constitution, and arbitrary disposition, the following would be hardly worth mentioning, had they not given occasion, as seemed to be the intention, to speculation, both of the publick and private property. When G—n—a was under the dominion of the French,

French King, there was an officer called the Curator of the Vacant Successions, or of those who die intestate, and without lawful heirs. The duties of this office in the British Colonies, are executed by the King's Receiver-General; but though there was a King's Receiver then in G—n—a, a gentleman of approved character and integrity, Mr. M——ll thought proper to appoint two persons to this office; A—S— and W—R—, persons of no visible property, and who gave no security.

By this means these persons got into possession of thousands still unaccounted for. Besides they found methods to recover from those who were indebted to such estates, while those who were creditors on them, were baffled in all their attempts to get payment of their just demands. Thus not only the creditors, but in some cases the lawful heirs, and the crown itself were cheated of their rights.

A rich sugar plantation near St. George's had been purchased by a voluntary subscription and contribution of the inhabitants, for the erecting a publick hospital. During the French government, and that of Col. Scott, this plantation was vested in the Governor, Council, and some of the most respectable inhabitants, as trustees. But Mr. M——ll having in view to gratify some of his dependants, appointed five trustees, all of them at that time without property. Under the sanction of the Chancellor, this valuable and useful fund became a prey to individuals; the sugar plantation was lett under value; parcels of the land granted in leases for 99 years, for fines not far exceeding the expences of surveying the granted lands, under pretext that money was wanted for the payment of debts; surgeons were appointed and continued at a heavy expence, and entirely unnecessary, as there were no patients;

patients ; consequently involving the institution in deeper ruin ; and the buildings were suffered to decay so much, that the very traces of the hospital, chapel, and other buildings are not now discernible. Thus the places where they stood, so far from continuing useful to the publick, are now become a receptacle to thieves, robbers, and run-away slaves.

It was now time to call together an Assembly ; and in order to procure one agreeable to the Governor, some extraordinary manœuvres were put in practice. A very different face was now shewn to the new subjects. Instead of being petitioned against, and their right to voting called in question, they were caressed in the most fawning and servile manner. Nothing was seen or heard of but assemblies, dances, and entertainments. Not entirely trusting to this, and in order to prevent any formed opposition, it was determined to keep the disaffected party, and the voters themselves in the dark, as to the days of election. With this view writs were all of a sudden issued, and dispatched to the Governor's most trusty friends in each parish, with orders not to open them till on certain days preceding each election. Another device still more extraordinary was likewise put in practice. By the ordinance of the Governor and Council for calling an Assembly, and regulating Elections, it was decreed that none of the new subjects should be permitted to vote unless they produced certificates under the Governor's hand, of their having taken the oaths to Government. Regardless how he prostituted his own character, or the dignity of his station, when it was to serve any particular purpose, Mr. M—— entrusted R——, T——, and some other of his favourites, with blank certificates, signed by himself in the usual manner. And thus per-

sons were enabled and permitted to vote for his friends, who otherwise were incapacitated by the ordinance.

A second device he fell upon, which, considering his conduct afterwards, and even at present, must be accounted more infamous, if possible, than the preceding. He insinuated to the new subjects, that on condition they voted for his friends to represent them in the Assembly, he would use his influence with the new Assembly to procure a law to allow them a share in the legislature; recommending it to them at the same time, to send one of themselves to England to solicit his Majesty's consent to that measure, which was accordingly done. When it is considered that Mr. M——— was the first who suggested to the new subjects the idea of participating in the Legislature, and that now, as appears by publications undoubtedly coming from himself, he represents the completion of that measure as unconstitutional, a subversion of the whole establishment in Church and State, and a direct violation of the Act of Settlement, what are we to think, but that he acts the part of the great enemy of mankind; first the Tempter, then the Accuser? When we reflect at the same time, that according to custom he lavishes the most fulsome praises upon himself for opposing a measure originally his own, are we not to imagine that he possesses a soul as insensible to shame, as prone to deceit? By those practices and some others, such as making votes on the day of election, it was at last declared, that a House of Representatives was *obtained* to his Excellency's mind.

They were not, however, as yet his devoted slaves. He indeed succeeded in procuring Mr. N———n H———e, a favourite Tool, to be chosen Speaker. But his creatures were baffled in a ridiculous

ious and unconstitutional attempt they made, to allow that Speaker two votes ; one on putting the question, and a casting vote when it came to an equality.

They likewise brought in a bill to enable Justices of Peace to assess very large damages, in some cases, as far as 200 l. upon persons prosecuted, without liberty of appealing to a superior jurisdiction. When it is considered that these Justices are all appointed by himself, and removeable at pleasure, it is evident that this bill, if it had passed into a law, would have established Despotism at once. It was luckily rejected by the majority. But they succeeded in another attempt of the same nature, and scarce less extraordinary. They procured a bill to pass the Lower House, enabling Justices of Peace to bring debtors by simple warrants before them in their own houses, and there clandestinely, and without appeal or other relief, by final judgment and execution, to enforce payment of all debts not exceeding 10 l. When this bill, however, came before the Council, it was happily rejected, through the influence and authority of Mr. B—b—r, the Chief Justice, whose penetration enabled him to foresee the bad purposes it was intended to serve, but which they carefully endeavoured to conceal from him, knowing that his integrity and regard for the constitution would lead him to oppose so oppressive a bill. If we reflect that in this country no debts above 40s. are determined in a summary manner, that this is always done in open court, that no execution issues till after long delays, that even then when it affects the person, it lasts for six weeks only, at the end of which the debt is discharged, and the person at liberty ; what are we to think of such a regulation, attempted in an infant Colony, where good policy

would seem to recommend a greater relaxation, and a less degree of severity? But it was some time before Mr. M—— arrived at the uncontrollable influence he afterwards possessed over this Assembly; this great object of his ambition however he accomplished at length, partly by accident, but more by his usual art and industry. In none of the other Colonies was it ever heard of, that Members of the Upper House acted as returning officers at elections of Members of the Lower. This, though a down-right secession in Government, and repugnant to the very first principles of our constitution, had been hitherto Mr. M——'s general practice, though this be the first time we have taken notice of it. But here he out-did himself; he appointed two Members of the Council returning officers on this occasion; one was Mr. T——, well known to be his creature, and Mr. G——, a new Counsellor, and a convert, having, on account of his opposition in the Assembly, been recommended home for a Mandamus to the Council, where the Governor thought his influence sufficient to gain him to his party; while at the same time it gave him an opportunity of putting some body more tractable into his place in the Assembly; and in both he succeeded. This appointment of two returning officers was avowedly made, that in case one was absent by accident, the other might officiate. But further to ensure success, a direction appeared on the back of the writ, in Mr. M——'s own hand, enjoining it not to be opened till a certain time within two days of the election. Accordingly a warrant was delivered to a constable late on a Monday evening, to summon the inhabitants of the extensive parish of St. Patrick's, to meet on the Wednesday following, and choose two

representatives between the hours of eight in the morning and two in the afternoon.

By this means three fourths of the Voters residing in the parish were kept ignorant of the election, and M—o C—p—l and J—s B—e were returned.

By practices of a similar nature, which need not be particularized, a dependent of the Governor's was returned for *Courtacon*, in room of a member deceased. But in the election for the parish of St. David's, in the room of two members who had resigned out of disgust, some manoeuvres appeared worthy of commemoration. Here there was an opposition; for the members in the Governor's interest there were only four votes, for those against him 14. But the latter being chiefly new subjects, their votes were refused by the returning Officer (as usual a member of the Council) on pretence that they did not produce certificates signed by the Governor of their having taken the oaths, though the poll-books, by which it appeared they had voted twice before when the same gentleman was returning Officer, were then lying before him, and appealed to as a proof that they had satisfied the law. Even Mr. P—r's vote, though he was the member who had resigned, and was then actually in the commission of the peace, was refused on the same pretence, he being a new adopted subject, but a protestant. It is likewise remarkable that the vote of a new subject, when he attempted to poll for the candidates in opposition, was rejected; but when on solicitation he afterwards changed his mind, and consented to poll for the Governor's friends, his vote was admitted without farther ceremony. It may not be amiss to observe among the other flagrant proceedings at this election, that the new subjects were threatened, if they persisted in the freedom

dom of their choice, with being made constables, a troublesome and disagreeable office in the West Indies as well as here; and one in particular, a gentleman of considerable landed property, was actually appointed constable on the spot, in defiance of all law and justice, for such an appointment could only be made in open court at sessions.

By these means, and by the necessary absence of some other members, Mr. M——ll having acquired an invincible majority in the Assembly, soon displayed his arbitrary disposition, in all its genuine and most frightful colours. He had hitherto been obliged, through the refractoriness of the Assemblies, to content himself with shewing a total disregard and contempt of the first principles and most established maxims of the constitution of his country. But he had now an opportunity, and he failed not to lay hold of it, to display in as flagrant a manner his equal ignorance or contempt for the natural rights of mankind, and the universal law of nature.

A militia bill, and a bill declaring the articles of which martial law should consist, were originally brought into the Lower House. When passed there, and sent up to the Council, Mr. M——ll, presiding as usual, though the Council then sat in a legislative capacity, told them that both they and the Assembly, from their habits and manner of life, were quite unacquainted with matters of such a nature; but that he being an old Officer, and perfectly well versed in them, would take the bills home, and properly amend them. The Council with their usual complaisance assented, and the bill passed with amendments of such a nature as would have done honour to Draco, whose laws were said to have been written in blood, almost every Paragraph

graph concluding with the tremendous word *Death*, sometimes *Death without mercy*.

By the militia bill the new subjects were rendered incapable of being officers, unless they renounced their religion by subscribing the test; at the same time neither condition nor quality, nothing but the Governor's dispensation, could secure any of them from serving, which could only be as a common soldier. Thus a gentleman of the greatest fortune in the island might have been commanded by his own indented servant, and received 500 lashes on the bare back at his orders. Indeed the Governor by these laws was erected into a Turkish bashaw; all the officers being appointed by him and removable by him, every thing might have been determined by martial law, and the civil law was in effect superseded.

We are the bolder in our censure of the foregoing laws, as we have the authority of the Board of Trade with us, who declared them the most sanguinary they had ever seen; and on their representation they were rejected by his Majesty.

Another act likewise fabricated by himself, as appeared from the declaration of one of his confidants in the Assembly, met with the same fate. This was a bill to enable him to associate to himself as Chancellor the members of his Majesty's Council. A law of the same nature is established at Antigua and Barbados, and it bore at first a fair appearance of equity and moderation. But his secret purposes were soon discovered. The first was, that he might have the members of the Council, over whom he possessed the most absolute and uncontrollable authority, for sharers in the odium he had incurred by many flagrant acts of iniquity and injustice, committed by him when acting as Chancellor, of which mention may be made hereafter. The second was, that he might

might secure his private Secretary and favourite Mr. A——S——, in the office of Register in Chancery; about which there was a dispute between him and Mr. W——d. His third motive, and which perhaps he had most at heart, was to prevent C——l S——t (who, on his returning to England, which he then intended, was to succeed to the Government) from presiding in the Court of Chancery. Between this gentleman and Mr. M——ll there prevailed no good correspondence on many accounts; particularly a flagrant act of injustice and iniquity still remaining in force, which in the quality of Chancellor he had committed against the family of that gentleman's brother. His intention was to place Mr. T——r, President of the Council, at the head of the Chancery. We have taken notice of Mr. M——ll's numberless absurdities in Government; it is then not to be wondered if he should be guilty of the same in the department of the law. Mr. T——r was judge in the Courts of Common Pleas, King's Bench, and Errors, from all which there lies an appeal to the Court of Chancery; so that here there would have been an appeal from himself to himself, than which a greater absurdity cannot be conceived: the Assembly to their honour rejected this favourite clause.

The next law we shall take notice of was of the most extraordinary nature, and attended with the most extraordinary circumstances, of any yet mentioned. Never were there seen in any instance the character of a Governor so basely prostituted, and for such infamous purposes, attended with such daring violation and flagrant breaches of the constitution, and his Majesty's instructions. Were it not proved by records, and the most undeniable testimony, it might be thought by most people incredible. To make it fully understood it will be needful

to step a little farther back in the order of time. Mention has been already made of the rebellious Negroes, who had so long infested the island, and raised such terror in the minds of the inhabitants: those slaves were headed by one Augustin, belonging to Mr. Couston, a new adopted subject, and who had been in open rebellion for the space of fourteen years. He had originally fled from his master on account of a rape committed by him on a white woman, a most enormous crime in the West Indies, where even a voluntary connection of that nature is in some cases capital. Ever since that time he had subsisted by robbery and plunder, carrying terror and devastation wherever he went, particularly to his master, whose life he had often threatened, as also to burn and destroy his house and plantation. He had lately at the head of a gag of slaves, committed a most barbarous murder with his own hands upon the body of Mr. Vandell, a new subject living in the mountains. During the sitting of the second assembly Capt. Dumaresq, of the 70th regiment, was dispatched with a body of 40 soldiers, assisted with a party of 120 whites, and a number of trusty slaves well armed, against Augustin, then encamped with his gang in the plantation of Mr. Maricheau, a new subject, whom he had dispossessed of his house and obliged with his family to fly for his life. Augustin, at the approach of Capt. Dumaresq, retired with his associates to an eminence, where he was soon surrounded in such a manner that, there being no possibility of escaping, they must all have been either taken prisoners or cut to pieces; by which means a final period would have been put to all this disturbance, and perfect security restored to the island. At this critical and important moment Mr. P——y, a person well known in G——n——a, arrived with a positive

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command

command to Capt. Dumaresq, under Governor M——ll's own hand-writing, to desist from all hostilities against the rebel slaves, and not to molest them in any shape till farther orders. This written message contained also an order that he should act in concert with, and by the advice of Mr. P——y. Augustin took advantage of this cessation of arms, to retire from the eminence where he had been surrounded to his usual hiding-places in the woods; from whence he sent the most insolent defiance to Capt. Dumaresq, and the inhabitants detached with him. But to see the prey they had been so long in pursuit of snatched out of their hands, and to be braved and insulted by Negroes and their own slaves, were not all the mortification they had to suffer; besides being obliged to remain inactive for seven weeks in the woods, at a grievous expence, absent from their business and losing the labour of their servants and slaves, they had the additional mortification to find their houses and plantations now left defenceless, exposed an easy prey to the outrages and depredations of merciless Rebels, whom they had so lately in their power: in fact, the Rebels failed not to seize the opportunity, and sent out small parties to ravage and plunder, which they did with more success, and less opposition than ever; so that the very measure from which they expected their future safety, and which had not the Governor interfered would have certainly procured it, had well-nigh proved their destruction: the alarm and the terror were greater and more universal than ever; and Mr. M——ll beheld all with the most philosophic indifference.

In the mean time Mr. P——y † having made
terms

† This Mr. P——y, from that time distinguished by the title of General P——, was the instrument of shedding all the
English

terms for Augustin, conducted this rebel, ravisher and murderer into St. George's, the capital of the island, not as a criminal loaded with chains, but as a valiant soldier armed with pistols and a cutlass; he led him directly to the Governor's house, where he met with a small mortification, being disarmed by the centinel before he was admitted to the Governor's presence: from his Excellency, however, he met with more respect, and greater favour; he was sent out to his plantation, and there appointed to command over his slaves, and protected from the punishment due to his crimes: nor did his Excellency's benevolence rest here; he made proposals to Augustin's master C——n to purchase him even as a slave to himself, who, being still apprehensive of his life, absolutely refused to comply unless he was sent off the island: but this did not tally with his Excellency's schemes in his favour. However, something was necessary to be done; for the rebel slaves, now daily brought in prisoners, unanimously concurred in accusing the favourite Augustin, as the chief instrument both as to the contrivance and execution of all the outrages that had been committed. In these circumstances nothing could have saved this assassin from the fate he so richly deserved, but some extraordinary exertion of his Excellency's friendship; and *his Excellency* did not desert *his friend*. There was no evidence at that time against Augustin but that of slaves, which

English blood that was shed at the reduction of G——a. The boats from the Repulse frigate had so often gone ashore for water without obstruction, that at last the necessary precaution of going armed was neglected: Mr. P——y observing this, suddenly rushed from his lurking place in the woods, and surrounded with a body of Negroes the unfortunate crew of one boat then ashore; the men begged their lives on their knees, but the inhuman wretch butchered them all without mercy.

in the Island of G——a is not valid against a free Negroe; it was therefore determined to make Augustin free, which, considering the disposition of his master, could only be done by an act of the legislature: an act of the legislature was framed for that purpose, and, to prevent opposition, carried through with a precipitation which had hitherto no example: an act for that purpose was sent down from the Council to the Assembly on the 29th of April 1767, and, contrary to the most established rules of that House, read three times in the space of one hour, sent back to the Council, and received his Excellency's assent that same day, even before the second hour was expired*.

Mr. M——ll, who now possessed an absolute authority over both Houses, was not content in this instance with violating the rules of the Lower House; he also broke through his majesty's most express and equitable instructions, which ordain that no bill respecting private property, should receive the Governor's assent, till after its publication for three Sundays in the parish where the party whose property is thereby affected resides, and only then with a clause of suspension till his majesty's pleasure should be known. That there was no publication appears from the bill's passing both Houses, and receiving the Governor's assent, in two hours. That Mr. Couston, the slave's master, gave not his assent, and indeed knew nothing of the matter, is manifest, as well from the letters written to him by Mr. S——n and Mr. J——es by desire of the Governor, and his answer thereto, absolutely refusing to dispose of Augustin, because his own life would not be safe so long as he was permitted to live at large in the island, and desiring he might,

* See Appendix, No. 2.

on the contrary, be brought to exemplary punishment, as from the following well attested fact. A few days after passing the bill Mr. Couston, when delivering up a list of his slaves upon oath, in order to pay the capitation tax, had inserted Augustin's name among the rest; upon which he was told by Mr. T——r, the magistrate, that Augustin was no longer his slave, being manumitted by the legislature. Apprehensive of his life from the well known and repeated threatenings of this murderer, who was now at full liberty to wreak his vengeance upon him, he quickly left the island with his family, and retired to St. Lucia, among his countrymen. From thence he repeatedly sent letters to G——a, regretting his being obliged to withdraw himself from the English government, for which he expressed the highest regard; and ordered his estate to be sold, which was accordingly done, at an under price, to one of the gentlemen who voted for the manumission of his slave. Thus his majesty lost a faithful subject, a man of property and character, and acquired in his room a negroe, an infamous robber, ravisher, and assassin.

Augustin continued near twelve months in the house, and under the protection of his friend and generous patron his Excellency Governor M——ll, till in March 1768 the Grand Inquest of the Island presented upon their oaths a bill against him for robbery and murder†: in consequence of this a Bench warrant was issued, and constables were sent to apprehend him at the Governor's house, about a mile from the town. It was now out of his Excellency's power to protect him longer, openly; yet he by no means deserted him. During the studied delays in issuing and executing the warrant,

† See Appendix No. 3.

means were found to send him first out of the way, and then off the island; and he is now by some supposed to be residing at his patron's plantation in Tobago; though other suspect him of being with the rebellious Indians in St. Vincent's, to whom his kinsman, Mr. P——y, has for many years past been a patron.

It will be difficult for an indifferent person to conceive what motives could possibly influence a man acting in so distinguished a station, and charged with such an important trust as Mr. M——ll, to exert himself in such an unusual manner in violation of the instructions of his sovereign, the forms of the legislature, and the voice of equity, in favour of a character every way so low, detestable, and infamous. It may easily be imagined that it afforded matter for much speculation at the time in the Island of G——n—a; and, we are sorry to say, that the most probable cause assigned for this attachment was, if possible, more infamous than the attachment itself.

Mr. P——y, who was the near neighbour, intimate friend, and inseparable companion of his Excellency Governor M——ll, has been already mentioned. This person had a pretty extraordinary taste in his amours, even in those countries. His first mistress was a black wench, a near relation to the famous Augustin; by her he had a daughter; and by that daughter another, or rather a grand-daughter, who, at the time of his intimacy with his Excellency, was the favourite mistress, conducted his domestic affairs, and sat at the head of his table, where his Excellency was a frequent, and always a welcome guest. Mr. P——y was known to be remarkably hospitable, and his hospitality was said not to be confined to his board, but even to extend to his bed, and the favourite for the time was possessed

of personal qualifications peculiarly suited to Mr. M——ll's well known taste. Thus Augustin stood in a very complicated degree of relation to the whole of that worthy family into which his Excellency was said to have been, as it were, adopted: and from this source sprung all the extraordinary indulgence shewn to their kinsman.

The next bill which occurs, is that for appointing a Treasurer for the Island. In the management of this law we find the same artifice, and, in the final composition, the same absurdity which distinguish all Mr. M——ll's proceedings. This second and favourite Assembly was not from the beginning so compliant as they afterwards proved; indeed, it was by accident as well as intrigue that he obtained a dead majority at last. The Governor wanted to have the appointment of the Treasurer, but the Assembly insisted on his being named by them; and accordingly it was so provided in the original bill sent up to the Council on the 8th of December 1766, where it lay dormant till the 21st of March following; then it was amended by the Council, or rather by himself, to his liking: for we have often observed, that he always presided in the Council when sitting as legislators, where, besides being the amender of bills which came from the Assembly to the Council, he was also the sole fabricator of the bills which took their rise there. Though amended on the 21st of March, this bill was not sent down to the Assembly till the 20th of April, by which time he had obtained a sure majority, and of course the amendments were agreed to. In one clause it is declared, that the Governor, by powers inherent in the Crown, has the nomination of all officers, civil and military, within his government, and consequently of Treasurer, therefore he is requested to appoint a Treasurer. Then in the
very

very next clause it is provided, that the Treasurer so nominated shall not then, or at any time hereafter, hold any office, employment, or place of profit under the Crown. This was chiefly levelled at Mr. B——e, King's Receiver General by patent; this absurdity was one reason why the law was rejected by the King.

Mr. M——ll, by his nomination, broke through the law he had made himself. He appointed Mr. W——r R——n, a creature of his own, Treasurer, who then by his favour possessed the offices of Curator of the vacant successions, by which he drew five per cent. on very considerable sums, the property of individuals or the Crown; trustee of the Colony Hospital and Hospital Plantation, a large estate vested in the Crown for the use of the public; and assistant Judge in the Court of Common Pleas, from which arose very considerable emoluments.

Immediately after the Treasurer's bill, on the 30th of April, a money-bill was past. The only thing remarkable which attended this law was, that Mr. M——ll did not send it home for the royal assent till after it had taken its full effect. The first payment of the money to be raised was on the 15th of May, the second and last on the 15th of August, and the bill did not arrive in England till December or January following. In this case there was no necessity for obtaining the royal assent to a law which was obsolete before it was sent away. But whether this conduct proceeded from artifice or absurdity, we shall not pretend to determine. If the first, it was a cruel and ungrateful mockery of his sovereign; if the latter, it shewed him utterly incapable of the high office he possessed.

The last bill that comes under consideration is that for regulating elections. The duplicity, dissimula-

simulation, and perfidy practised by Mr. M——ll in every thing relating to elections, and particularly where the new adopted subjects were concerned, would of themselves be sufficient to render him a disgrace to that government which employed him, and indeed unworthy of employment under any. In fact, they have been attended with the worst consequences, and have been the most efficient causes of the animosities between the old and new subjects. We find Mr. M——ll perpetually veering like a weather-cock to the breath of his momentary passion or interest. * First we find him petitioning * himself against allowing the new subjects even a vote at elections, for he then accounts them aliens. This was upon the eve of the election of the first Assembly. Before the election of the second, we behold him totally altered. He now flatters the new subjects with the hopes of obtaining a share in the legislature, and even promises them his interest for that purpose. The infamous

* That we are well founded in saying Mr. M—— on this occasion petitioned himself, appears from the whole tenor of his conduct. He was so fond of receiving petitions, that rather than not receive petitions, he would write them to himself. When any person came to make him the most indifferent request, his answer used constantly to be, "You must deliver me this in a petition."—"Please your Excellency, many of them would say, I know not how to write a petition." "Then said his Excellency, I will write one for you myself." Which he would sit down and do with all the condescension in the world, giving it to the petitioner to be signed and delivered to himself. On this occasion, as well as on many others, such as his publications in the Political Register, and the extracts of letters from G——, printed in the news-papers, and written about himself, if not to himself; he puts us in mind of Congreve's Petulant, in the Way of the World, who used to call for himself, wait for himself, and not finding himself, leave letters for himself.

M... dupli-

duplicity which succeeded this promise, we are now to explain.

In the month of January 1767, a motion was made by Mr. P——t, one of Mr. M——ll's perpetual friends, and seconded by Mr. R——n another, for leave to bring in a bill to declare all his majesty's subjects of this island and the G——s, formerly subjects to his most Christian majesty, and now ceded to the crown of Great Britain, to all intents and purposes capable of enjoying the same privileges and immunities as if born in his majesty's dominions, which was granted, and a committee of course appointed *.

This motion, and the leave obtained in consequence, was immediately published as an article of news in the G——a Gazette, both in French and English. The names of the motion-maker and his second, known to be the Governor's friends, were not omitted. There can be no doubt that the new subjects considered this piece of news published with so much pomp, as one step towards the completion of Mr. M——ll's promise. We shall soon see how this promise was completed.

No other step was taken in consequence of this motion, and the affair of elections lay over till the 7th of October, within seven days of the dissolution of the Assembly. Then the bill regulating elections came down to the Assembly from the Council, fabricated, at least approved as usual, by Mr. M——ll. The Assembly rejected this bill, because they thought it originated improperly in

* It is to be observed that the new subjects had enjoyed, previous to this delusive motion, all the privileges and immunities of natural-born subjects, except a share in legislation and magistracy; consequently this Bill could only be intended to extend their privileges and immunities, to participate in legislation, and exercise magisterial functions.

the Council. Yet such was their complaisance to his Excellency, that next day they brought in a bill in the very same words, passed it, and sent it to the Council, where it was likewise passed, and received the Governor's assent on the 14th, the very day of the dissolution. But the purport of this law was very different indeed from what the new subjects were made to expect from Mr. M——ll's promise, and his favourite Mr. P——'s motion. Catholics were not only prevented from sitting in the House by a clause obliging all the Members to take and subscribe the test, but a penalty of 100 l. sterling was imposed upon them, if they presumed (such are the words of the law) to offer themselves as candidates * ; an act of perfidy not easily matched.

The reader has seen with what parade and expedition Mr. P——'s motion was published in the Gazette, both in English and French. But this

* We have often made mention before of Mr. M——ll's absurd and unconstitutional practice of making the Members of the Council returning officers. By a clause in this law, the writs are to be directed to such of the Members of his majesty's Council as shall or may be resident in the town of St. George, or parishes where elections are held. Should the good natured, out of compassion for Mr. M——ll's ignorance, be inclined to pass over this, what follows will be found too much for the most comprehensive mercy. By this law the assembly are declared judges of all matters concerning elections ; and, by the same law, Returning officers acting wrongfully, are subject to the pains, penalties, and forfeitures as in England. The House of Commons here are used to punish Returning officers by imprisonment and otherwise ; therefore the Assembly of G—— could by law imprison and otherwise punish Members of the Council, who were by law Returning officers ! Whether it would be most for Mr. M——ll's honour to say that he has confused ideas of justice, government, and the constitution, or to say that he has no ideas at all, we leave it to the admirers of this *worthy and most excellent Governor* to determine.

law was concealed with equal care and diligence, nor known to any but the Governor's creatures, till after the elections which it was to regulate were over. The new subjects had indeed heard that such a law had past, and they might naturally conclude it was conformable to Mr. M——ll's promise, and Mr. P——t's motion. However, they were willing to be satisfied: with this view, on the day before the election, they repaired to the Secretary of the Province, and demanded a sight or copy of the law concerning elections. They were referred by him to the printer, a Member of the Assembly, who told them it was in the press, and could not be seen. Thus they were kept totally in the dark about what so nearly concerned themselves, and which they had an undoubted right to know. This unaccountable and studied concealment was the real and only cause of the ensuing disturbances which happened at the election for the town of St. George.

We have now gone through what may be called the legislative history of Mr. M——ll's second and favourite Assembly; and we believe the reader will not be surprized when we inform him that seven of his laws were rejected by the king in Council *

During

* We shall just mention one singular proceeding of this Assembly to give the readers some notion of the consistency with which they acted. One of their Members, Mr. M. V——r, being under a very pressing call of nature went out of the house, paying the usual obeisance, understood as a form of asking leave. He was called back when he was at the door, but either did not or would not hear. A motion was made for expelling him, which, contrary to all the rules of the House for punishing absent Members, was carried in the Affirmative. He repaired next day to the House as if nothing

During the sitting of this Assembly, a very remarkable trial was carried on against a French gentleman, Mr. La Ch——e and his son. It would be uncandid not to allow, that though the practice of the Star Chamber seems to have been the usual rule of Mr. M——li's conduct, yet this was, we own, the first and only time that examining witnesses and procuring evidence by the cruellest tortures of the inquisition were introduced into his government. Neither will we charge him with being privy or accessary to the fact before it was committed, or even with approving it openly after it was perpetrated. All that can be said is, that tortures were used by three of his most intimate friends and counsellors, to whom he shewed no disapprobation on that account, and never made any effectual enquiry, at least, into the business. The fact was in short, as follows: A very barbarous murder had been committed in August 1766, upon two white men, coopers, residing in a lone place near Mr. La Ch——e's plantation, as it afterwards appeared, by some runaway slaves. The suspicion at first fell upon some of La Ch——e's negroes. Three Justices of the Peace, Mr. J——n G——h——m, Captain P——r G——d——n, and Mr. J——n H——v——y, tortured those unhappy wretches in the following manner. After putting the question whether they murdered the coopers, and receiving an answer in the negative, they caused their hands to be tied behind their backs, then hoisted them up by the thumbs, and repeating the

thing had happened, when having made known the cause of his retiring, and proved it by the testimony of his physician, he was by another resolution re-admitted to his seat without a new election. Both these votes are still standing on their minutes.

former

former question, kept them suspended in that execrating posture till they confessed, that they were present at the murder. They were now let down, but hoisted up a second time, till they confessed they were guilty of the murder: they were a third time hoisted up, and at last a confession was extorted from them, that their masters La Ch——e and his second son were concerned in the murder. The five negroes were condemned to death, and La Ch——e and his son apprehended, imprisoned six months, and tried, but acquitted. Three of the negroes died under confinement, and of the injuries they had received, and the two survivors were afterwards pardoned by his majesty, no doubt from a conviction of their innocence. Far be it from us to charge the Governor of a Colony with all enormities which may happen to be committed even by his favourites under his administration. But when that Governor, so far from punishing, so far even from discountenancing those favourites, not only passes over their crimes in silence, but continues them, though removeable at his pleasure, in the office in which they perpetrated these enormities, and still distinguishes them with his wonted favour, friendship, and protection, we say, in such a case, it would be no breach of candour to affirm that that Governor adopts them for his own. Yet thus did Mr. M——ll; those three *Torturers* still continued Justices of the Peace, one of them still continued Member of the Council, and the two others were in a few weeks after created Members of the Council.

The election for the Town of St. George's came on, the 9th of November. The new adopted subjects were still carefully kept in ignorance of the law for regulating elections, which was past on the day the assembly was dissolved. From the pains
taken

taken to keep it concealed, it appears how contrary it was known to be, to the promise of Mr. M——ll, and the motion made by Mr. P——t. It is said, and with some probability, that in order to get at the real contents of this bill, the new subjects set up Mr. D——y, one of their own number, candidate for St. George. But Mr. W——r R——n the returning officer, most illegally and unconstitutionally, in whatever light it may be considered, refused to take down his name as a candidate, or to poll any votes for him, on pretence that he was a Papist *. Upon which Mr. C——d de R——c, a gentleman of property in the island, attempted to read a protest after the manner of the civil law. But his voice being weak and an uproar raised by Mr. R——n calling for constables, Mr. D——y took and also attempted to read it. Again constables were called for, who forcibly drove C——d and D——y off. After the election was over Mr. R——n made a complaint against Mr. C——d to the Governor, who called together and laid the matter before the Council. They met, but whether in their private or legislative capacity is hard to say. However they certainly acted as a court of Star Chamber; and in defiance of their late favourite law took cognizance of what related to elections.

They summoned Mr. C——d before them on the 27th of November, but he, unable to attend then, sent an excuse of which no notice was taken.

* It is proper to observe here, as a proof of that consistency and probity which distinguishes Mr. M——ll's partizans, that this very W——r R——n, who now as returning officer had such an antipathy to Papists, that he transgressed the laws of his country rather than suffer one to stand as a Candidate, was, when member of the favourite assembly, of a quite different opinion; he was then for allowing them all, without distinction, a right to sit in the assembly: he was the person who seconded Mr. P——t's famous motion for that purpose.

Hearing

Hearing a meeting was appointed on the 22d of December, he repaired to St. George's attended by Mr. Scott, his council, who was likewise to act as his interpreter. On his entering St. George's in the evening he was apprehended, and after great entreaty suffered to remain in Mr. S——t's house under custody. Next day he appeared before the Council, his Excellency presiding in it. He was asked by the interpreter, why he did not attend the first Council, and whether he had not received a summons. C——d desired the assistance of Council, adding, that without that he was advised to answer no questions. This demand was not only positively refused, but it was construed into a contempt, and a warrant was issued for his commitment. He offered security to any amount, and demanded access for his Council, both which were refused. C——d likewise desired that his demand of Council should be specified in the warrant; at first he was told this was done; but as he still persisted that it was not, he was at last told it was unnecessary. Committed at length to the most loathsome goal among runaway slaves, felons, and other malefactors, he was advised to write a submissive letter to the Council promising compliance with their designs. But this letter was rejected, because it was written in French, on which he subscribed and sent a translation of it into English. He was then told that he must prefer a petition, which he did accordingly, adding that if his present submission was not satisfactory, he begged they would draw up one for him, which he would sign; he likewise mentioned the consideration of his health endangered by the loathsomeness of the dungeon, and the number of felons confined with him, as a motive for his speedy enlargement. No notice was taken of his last article; his submission was declared unsatisfactory; and as he had desired,

fired, a form was drawn up for him. Humiliating as it was, the poor gentleman signed it, but unluckily again mentioned what no doubt was next his heart, and what he thought might influence their humanity; the imminent danger his life was exposed to, in a place where he was continually obliged to burn tobacco and sprinkle vinegar. But those self-erected tyrants, with the Governor at their head, had no sensations of humanity. They sent indeed to visit him, a man who called himself a doctor, and who told him that he was in perfect health; but if he should fall sick, he would give him *some physick*. This happened on the fourth of December, the 3d day of his confinement. In the next message which the worthy committee of the Council sent him, they failed not to expatiate on their own great humanity, in sitting till 10 o'Clock, to give him opportunity to recover his liberty, and on their sending a doctor to enquire after his health: at the same they testified a wonderful surprize that his petition was grounded upon his life being in danger, and not solely (such are their words) upon his just sense of the greatness of his offence: therefore they declared his petition inadmissible. Upon this Mr. C——d signed another petition word for word as in the form they had prescribed, carefully omitting what had given so much offence, any mention of his health. On the next day he was brought before the Council, who discharged him on his signing in French what he had before signed in English, which they thought fit to publish in the Gazette. *They had not however yet done with him.* Before he went away, he was served with another citation to appear before the Council on the 8th of the same month: but he took care, and we believe he was wise in so doing, to trust their tender mercies no longer. He immediately

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diately left Granada, and made the best of his way for England *.

This is a faithful account of Mr. M——ll's and his Council's treatment of this unfortunate gentleman, in which we can safely affirm, we have rather extenuated than set down aught in malice : yet it is impossible for any one to peruse it without imagining that he is reading the proceedings of a Turkish Divan, and not of a British Council.

Before we quit this subject, we cannot help taking notice of another incident. Mr. M——ll's delusive promises to the French subjects, the treacherous motion of his creatures P——t and R——t——n, and its pompous publication in the Gazette, in French and English, confirming those promises, have been already related. An account has also been given of the law regulating elections, totally repugnant to those promises, and that motion ; and of the great care with which it was insiduously concealed from the new-adopted subjects, whom it so nearly concerned. That those people were altogether unacquainted with its purport, we will not take upon us to affirm, yet that Mr. D——m——hy, who stood candidate for St. George's, had no positive knowledge of this law, is absolutely certain ; for it was not made publick till the 10th, the day after the election. Yet Mr. M——ll, in spite of every remonstrance, had the cruelty to stir up a prosecution against that gentleman for the penalty of 100 l. sterling, incurred, as they alledged, by that law, because that he, being reputed a Papist, presumed, such is the expression, to offer himself a candidate for the Assembly. This prosecution was carried on till it was quashed by the deserved rejection of this law by his Majesty in Council.

* See the Appendix, No. 5.

We doubt not but the candid reader will anticipate us in any remarks we may be able to make on this atrocious procedure. It is, every thing considered, equivalent to punishing a man by a law *ex post facto*; not only repugnant to the plainest dictates of equity, but directly contrary to the invariable practice of our Parliaments, which never give force to any penal statute, till some time after its publication, when every one must be supposed to be acquainted with its contents. We would also ask on reviewing the whole of Mr. M——l's conduct towards the new-adopted subjects, whether a man capable of such complicated perfidy, treachery, dissimulation, injustice, mockery of justice, and in the end, folly, for this act of cruelty could serve no great purpose of interest or ambition, is fit to be entrusted with supreme command, or indeed to be a member of any society?

But he proceeded in his usual tract. Finding that he had rendered himself so obnoxious to the new subjects, and that he had irretrievably lost their confidence, he declared war against them, and seemed determined to keep no measures with them for the future. One of his first operations was to terrify them with the pains of the law. The signers of the protest, to the number of 17, the most respectable of the new subjects, were ordered by special warrant to appear before the Council, and on their appearance, the Governor presiding, they were asked if the names set to the protests were their hand-writing. Afraid of Mr. C——d's fate, they acknowledged their hand-writing; upon which they were required to give bail to appear at the next court of quarter-sessions, with which they complied. This bail was excessive, in contravention of the known laws of the land, being no less than 2400 l. for each person: Mr. M——l seems to have had a serious

intention to prosecute them ; but by another manoeuvre in pursuance of this plan, he rendered this design abortive, proving, as he had often been before, too cunning for himself.

This was the famous memorial written by *himself*, containing the highest eulogiums of *himself*; and addressed to *himself* and Council. It was also signed or marked by characters every way suited to the dirty work carrying on, such as overseers, sailors, indented servants, cobblers, and other low strollers. Those subscriptions, obtained by every art of flattery and intimidation, were traced up to his own secretary Mr. A — — r S — — n; and particularly one message was proved before the Committee of Assembly, to have been sent by that gentleman to M — — H — — n, a German taylor, threatening him, that if he did not sign the petition, he should be imprisoned, or turned off the island as an alien. Nor were the Members of the Council, though this memorial was addressed to them as well as to the Governor, less assiduous than the private Secretary, in procuring subscriptions to it. A curious letter will appear in the Appendix from Capt. G — — n, Member of the Council, to the officers of the 70th regiment, then under his command, soliciting them to sign it. Nay, so eager was that gentleman, that he had not only signed it himself, but used his utmost endeavours to prevail on another Member of the Council to subscribe it also.

We shall make but one remark on this paper, as it must of itself sufficiently strike every reader. In the very first sentence appear these words, *unprecedented attempt to overturn the Constitution by the French born subjects*, alluding to Mr. Dem — chy's standing candidate for the Assembly. Now, how could this be *unprecedented*, when Mr. J — — n P — — t and Mr. W — — r R — — t — — n had made that attempt

attempt in the most public manner, and the favourite Assembly itself had concurred with them in it. Yet such was Mr. P——t's effrontery, that his name appears first in the list of the subscribers to this memorial, and that of his colleague follows soon after.

It must be confessed, however, that this memorial amongst many bad, produced one good effect: it prevented the gentlemen who had signed the protest from being harrassed with vexatious prosecutions at law, in consequence of the excessive bail illegally exacted by the Council. Lawyers had been consulted in all the islands, in order to find out some offence in the protest on which to found an indictment; but their report had been very unfavourable. And so assiduous and diligent had the private Secretary, and the Members of the Council, Messrs. G——n, H——y, M——x——ll, T——r, G——m, and others been, in procuring subscriptions, that all the creatures and dependents having signed, and therefore liable to be challenged by the defendants, they found they could not pack a jury, a measure which had not been without examples, or indeed procure twelve men with whom they could trust such a cause. In this dilemma the Council interposed, and made an application to his Excellency, to order the proceedings to be stopped *, failing not at the same time to make this a handle, by another wanton and cruel piece of mockery, to boast of their lenity: accordingly the protestors were discharged from their recognizances by proclamation.

In the mean time the third Assembly had met. The first things they took under consideration were the petition and the election for St. George's: the petition was not expressly condemned, but its condemnation was strongly implied in their proceedings.

* See Appendix, No. 12.

A member informed the House that he had seen a paper, purporting to be a petition to his Excellency and Council from some of the old subjects against the new, tending to breed much dissension, and to intimidate the latter from voting with the freedom of British subjects at elections. A motion was then made and carried, that his Excellency should be addressed for a copy of the petition: a pretended copy was accordingly delivered in, but very different from that which had been carried about for subscriptions; for, in humble imitation of Cromwell's long parliament, they had sent about one paper to be signed, and now produced another as the original, with the names affixed to it; and yet this second paper contained still more absurdities than a third pretended copy of it which made its appearance in the Political Register for September last. Some of the subscribers were called before the House of Assembly, and were asked by what means, and from what apprehensions, they were prevailed on to subscribe; the result of which has been already mentioned.

Mr. R—t—n being then ordered before the House, for a breach of their privileges, after two general resolutions the House came to the following particular resolution: "That Mr. R—t—n had acted in the most over-bearing, illegal, and unconstitutional manner, in refusing to take a poll for Mr. D——y, and was thereby guilty of a high breach of the privileges of the House." Mr. R—t—n was then called to the bar, ordered to acknowledge his fault, and ask pardon of the House; which he refused. Mr. N——r——t, a Justice of Peace, who assisted him at the poll, and joined in calling for and directing the constables, being likewise called before the House, and under the same censure, followed his example. They were

were both committed, and the House expecting they would retract, sat till six in the evening. Finding them obstinate, this being the 24th of December, they adjourned till the 13th of January on account of the Christmas holidays. That very evening at eight o'clock the two delinquents were brought by Habeas Corpus before Mr. T——r and Mr. M——x——ll, Members of the Council and assistant Judges, and in open breach of the most unquestionable privileges of the House, were set at liberty by them.

Mr. M——ll had rendered himself so justly odious to all the old subjects, excepting his own immediate creatures and dependents, and to all the new, excepting the incestuous P——y, the friend and relation of Augustin the murderer, Capt. P——pse, and Capt. P——r G——r——d, all three of such infamous characters, that none of their countrymen would be seen in their company; in a word he had rendered himself so justly odious to all ranks and degrees of people, that at the last general election the sense of the Colony prevailed so much against him, that he could only influence the voters in the choice of two members for the town of St. George, where he got his creatures chosen by the intimidations above related. His adherents, consequently, in this assembly, were not above four out of twenty-one. He had then no resource left against the universal indignation of the people, and the enquiries of the Assembly, but the interposition of Council, which board he seems to have used alternately as a tool or a screen, just as it suited the purpose of the moment. This resource did not fail him. The honourable board met on the 11th of Jan. two days before the adjournment of the Assembly expired. Taking into their consideration, to use their own words; “ the unhappy state to
“ which

“ which the Assembly had reduced the island, and
 “ being desirous of stifling the heats and distrac-
 “ tions which they had occasioned, and the ani-
 “ mosities which they had raised, even to a height
 “ to endanger the peace and happiness of the Co-
 “ lony,” they advised his Excellency to have
 recourse to a timely prorogation for two months.
 His Excellency took their advice, and the Assem-
 bly was accordingly prorogued.

Mr. M——ll and his Council have been so irreg-
 ular in their proceedings, that it is impossible even
 to conjecture under what character they would wish
 to be thought to act. To do them all possible
 justice, we shall suppose, that when they gave this
 advice they acted in the capacity of a private
 Council to the Governor; but they soon resumed
 their legislative capacity, and began to do business
 in that character on the 15th, and continued to do
 so during the prorogation of the Assembly. The
 evident purpose of advising that prorogation was
 to have the field to themselves, and, having no
 opponents, seize the opportunity of throwing the
 odium of their own black deeds, and the blame of
 the distracted state of the Colony, on the Assem-
 bly, then incapable of answering for themselves.
 Ignorant and wrong-headed they certainly were to
 an extreme degree, yet on this and some other oc-
 casions we cannot help thinking that they have
 acted in defiance of the most established principles
 of the constitution, wantonly and merely for the
 pleasure of doing so.

The Council, with Mr. M——ll at their head;
 for it had long been established as a standing rule at
 that board to enter into no debate about any bill,
 &c. unless his Excellency was present and assisting;
 being then illegally and unconstitutionally met, as
 a branch of the legislature, came to several violent
 and

and indecent resolutions against the Assembly, arrogating to themselves many absurd and unconstitutional powers, all which they ordered to be published, manifestly with a view of continuing the alarm, and if possible of throwing the odium of what had passed on the prorogued assembly, who had no opportunity of answering for themselves.

But the people in general were too wise to be caught by so shallow an artifice. On the contrary, the Grand Jury of the island, on the 10th of March, presented a remonstrance * to him, " complaining
" of the prorogation of the House of Representa-
" tives, earnestly soliciting their being again sum-
" moned to meet, and representing the indispen-
" sable necessity of taking speedy and effectual
" measures to restore peace, harmony, and unani-
" mity, as well between the several branches of
" the legislature, as between individuals in the
" Colony, already distracted and torn to pieces by
" the violence of party and faction, invidious di-
" stinctions, unjust, ungenerous, and inflammatory
" reflections ;" alluding plainly to his perfidious and unworthy treatment of the new subjects, and the late extraordinary operations of his petitioners and his Council. This address was signed by the whole Jury, all respectable men, and natural born subjects.

This address, in the present situation of things, could not be very pleasing, and yet the jury did another thing on the same day which was perhaps equally disagreeable; for they occasioned to his Excellency the loss of his trusty superintendant, his great friend and favourite, Augustin the murderer, in whose behalf the whole legislature had exerted

* See Appendix, No. 8.

themselves in such a remarkable manner in the preceding year.

It is most probable, from the proceedings of Mr. M——ll and his Council, that he did not intend to meet the Assembly again. But the warm remonstrance of the Grand Jury seems to have determined him. The Assembly met, agreeable to their prorogation, on the 12th of March, but did no business till the 18th, when the minutes and resolutions of the Council being taken under consideration, they entered into very opposite resolutions, and at the same time drew up a warm and spirited Address to his Majesty, complaining of the unconstitutional as well as impolitic measures pursued by the Governor and his Council. This address was surreptitiously, and without the knowledge of the Assembly printed*. Mr. M——ll and his Council found fault with that, with the less propriety, because it was done by a Member of the Assembly, a friend of his own. With his usual duplicity and artifice, he represented that incident in such a light to the Minister here, that he is said to have taken offence, and to have declined presenting it to his Majesty on that account.

Next day, the 19th, Messrs. R—ts—n and N—r—t, were again called before the Assembly. The former only could be found, and still continuing obstinate, and refusing to make the smallest acknowledgment, he was again committed. Upon hearing this, Mr. M——ll adjourned the Assembly till the 24th, and immediately released R—ts—n, obliging him to give bail to appear before the court of Chancery on the 23d. His two

* See Appendix, No. 12.

securities were Members of the Council, and of the court before which he was to appear; for the law associating the Council to the Governor, as a court of Chancery was then in force. Such a confusion and absurdity runs through the whole of Mr. M——l's proceedings, that he seems to have as imperfect a notion of form and order, in the most obvious things, as in the most essential points of the constitution. The court of Chancery had certainly no power to take cognisance of a delinquent committed by the Assembly for contempt, or a breach of privilege: but granting they had, in that case one eternal rule of justice was not observed; both parties were not called; Mr. R——n, with his council only appeared, when the Governor, from the seat of judgment, declared that he had acted right; that the privileges of the Assembly did not extend so far, and that his conduct merited the public approbation. Thus with a barefaced shamelessness he unhinged all order and form of a constitution, and broke in the most flagrant manner through the law for regulating elections passed by his favourite Assembly, and framed by himself some months before.

The Assembly met on the 24th, and resolved to take no farther notice of R——n's affair, till they had advice of Council. Then they examined the French subjects, and upon hearing what they had to say, came to the following prudent and conciliating resolutions, " That it clearly appeared from the assurances of his Excellency, the motion made by Mr. P——t and R——n, as well as several letters written to them from London, that the new subjects had the strongest reason to imagine a few of them might be admitted into the Assembly; that they had not the least intention of insulting the legislature, or denying that acts of

the Island were binding upon them, as was very evident from their never attempting to set up another new subject as a candidate, after they had seen the election-act; and that their sole motive for protesting was to preserve their rights, imagining, from the laws under which they had been brought up, that a formality of that nature was necessary on such occasions." For these reasons they were discharged.

On the same evening, about two hours after they had adjourned, a proclamation was published by *beat of drum*, as usual, proroguing them till the 25th of May. Recourse was again had to the same childish and silly device which had been practised during the former prorogation. The Council met as usual in their legislative capacity, and published, with great ostentation, several virulent and inflammatory reflections against the Assembly, appealing not to the reason but to the prejudices of the vulgar, laying great stress on the words *French* and *Papist*, knowing these appellations to be naturally hateful to the mob among the old subjects, who, like all other mobs, form their opinions from names only*.

The Assembly was again prorogued before they could meet till the 25th of August. During this interval, Mr. M——ll, finding himself entirely obnoxious to all the new subjects except the three infamous fellows already mentioned, and equally obnoxious to all the old subjects, his own immediate creatures and dependents only excepted, and being besides both afraid and ashamed to meet the Assembly, thought proper to shift his quarters, and make use of the liberty he had some time before obtained from his majesty to return to England. As

* See Appendix, No. 17.

there is something curious and characteristic in his motives for requesting, and his conduct after obtaining, that liberty, we shall beg leave to mention it.

Having been obliged to get quit of the first Assembly in such a violent and unprecedented manner, being as yet doubtful of what complexion the second might be, he had written to the Secretary of State, desiring permission to return home. This was readily granted, and dispatched to him by the first opportunity. But by that time he had conceived hopes of becoming as absolute in the Assembly as in the Council, which he soon after attained to in the manner above-recited. He now laid aside all thoughts of quitting his government; but how to stay with a good grace was the question, it being publicly known that he had requested and obtained leave to return. He had recourse to his customary device: he sat down and wrote two petitions to himself, one of which he procured to be signed by his Council, and the other by his Assembly; for they were now *his* indeed in every sense of the word. The purport of both was the same; being humbly to entreat his Excellency to suspend his tour to Europe, and even to risk his precious health, rather than not complete and accomplish the patriotic and arduous task which he had designed, and so happily begun for the good of the Colony. It may be believed these petitions met with a gracious reception as well as compliance from his Excellency, and in order to account for his stay he wrote to the Secretary of State much to the same purpose. We have seen how the second Assembly ended, and what wonderful feats he then accomplished; we have likewise seen how the third Assembly began, and in what temper, and with what views they were repeatedly prorogued. His original motives for leaving the Island were now re-
turned

turned with double force; he therefore made use of the liberty he had before obtained, which still remained unrevoked. He set sail from G——a on the 26th of July, and, after the time usually spent in such a passage, arrived safe in England.

Peace and tranquillity immediately took place on the Governor's departure. The Assembly met agreeable to their prorogation, and presented a very sincere congratulatory address to Mr. F—z—e, who succeeded to the Government. They seem indeed to speak from the heart, and the following passage is too remarkable to be omitted, especially as it expresses their just sense of the author of all their evils. "We are so much the more joyful on this interesting occasion (meaning Mr. F—z—e's succession to the government) that from your character, and the marks you give of an upright conduct, we expect you will fulfil, towards these Colonies, the good intentions of our most gracious sovereign, for the prosperity and happiness of all his people; and that we shall be relieved from the confusion, anxiety, and distresses into which we have been long and unmeritedly plunged, by the oppression and artifices of a designing man, whose station ought to have instilled into him nobler principles." That this was not the voice of faction or prejudice in the Assembly, but that they were in this truly the representatives of the people, and spoke their sentiments, appears from the surest testimony, the behaviour and conduct of the people. Universal peace and tranquillity continued, and a perfect content and acquiescence with all the measures of Mr. F—z—e's government, till every thing was thrown into confusion by the Members of the Council, who took the opportunity of renewing the disturbances on Mr. F—z—e's carrying his M—j—y's instructions

into

into execution for the admission of two new subjects into the Council. How far the capitulants had a right to claim or expect such a participation in the legislature, without a law of the Colony to that purpose, is not the question at present. But that it is agreeable to every maxim of sound policy and the general sense of the proprietors both in England and Gr—n—s, admits not of a dispute: therefore any violent opposition to such a measure must have proceeded from a narrowness of thinking, faction, or some other motive, which the opposers dare not avow. But the truth is, this measure was originally suggested by Mr. M—ll himself, who now so loudly clamours against it, it was promised by him to the new subjects, and finally, it was moved for in a more enlarged sense than now granted, even without any limitation, by two of his most avowed and devoted creatures, in his second and favourite Assembly.

Hitherto we have only considered Mr. M—ll in his capacity of Governor, it remains that we give some account of his conduct as Judge, as Ordinary in Ecclesiastical, and Chancellor in Civil causes; in which, though there is an ample field, we shall be very concise. We shall begin with the former.

There was a widow, named G—ff—th, between 30 and 40 years of age, then of a spotless and unblemished character, and received and entertained as such by the best company in the Island. This lady had consented to dispose of herself in marriage to a gentleman named C—r, about the age of thirty. Every thing was prepared, the bride and bridegroom in their wedding cloaths, their friends, and the clergyman who was to perform the ceremony, were attending. Even the licence was made out, and nothing was wanting but his

his Excellency's subscription, which being accounted a matter of mere form, was not doubted of. But they reckoned without their host. The licence was indeed presented to his Excellency, but he refused to sign it. "This woman, said he, is mad; she is quite *non compos*, and unfit to enter into the holy state of matrimony." Persisting in his refusal to sign the licence, for reasons at that time known only to himself, the fond and expecting couple were obliged to depart *re infecta*. The bride slept by herself that night, but it is said that his Excellency had charity enough to prevent her continuing long without a bedfellow. An action of damages was at first intended by her against the Governor for refusing the licence, but he found means to bring about an accommodation, which ended in the loss of the poor woman's reputation, and nobody of character would afterwards keep company with her. His Excellency, however, was not altogether a negligent or inconstant friend. The widow was certainly the last female of whom he took effectual leave when he quitted his government, in order to return to England.

The story is well known to all the inhabitants of G—n—a. And we are persuaded that this proceeding of a Governor, a representative of the British Sovereign, acting under the sanction of a sacred office, will be considered in a very serious light.

We shall now consider Mr. M——ll in his capacity of Chancellor, where the charges against him are yet of a more serious nature.

Mr. G—e G—n, a Protestant, who had purchased a considerable estate in G——a, was married to a rigid and avowed Papist, born in Ireland, educated in Nunneries both in France and Spain. Mr. G——n dying, left an infant son by this woman,
who

who was appointed by Mr. M——ll administratrix to his estate, and guardian to the child. Her two securities were a gentleman who soon after died, and Mr. F——k C——r, now her second husband. No other security has been given; Mrs. G——n, now Mrs. C——r, still continues in the administration and guardianship, and is educating her son here in England, at a Roman Catholic school in Hammer-smith, under the tuition of her own father, a rigid Papist. Mr. C——r is one of the suspended Counsellors, and strongly attached to Mr. M——ll's interest. His intentions are said to be to bring young G——n's estate to a sale by a decree of the Court of Chancery, and become himself the purchaser. A circumstance, which in the present situation of that infant's estate, he can have little hope of effecting, unless his friend Mr. M——ll be the Chancellor.

Two new subjects, brothers, of the name of H——rb——t, originally an English family, were possessed of very large estates in G——n——a. The eldest, who resided in Martinico, was married and had three children, a son born before the reduction of that island, a daughter during the time it was in the English possession, and a son after it was restored by the treaty of peace. This gentleman died intestate at Martinico before the time of the emigration expired, leaving a widow and these three children; and his brother soon after died also intestate at G——n——a, where he usually resided. Both, it may be observed, had been capitulants and had taken the oaths. By the 13th article of the treaty of Utrecht, 1713, confirmed by that of Paris, 1763, "*Heirs, Executors, or Administrators, residing in either of the kingdoms, or coming from any other part, although they be not naturalized, shall freely and*

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" quietly

“ quietly receive and take possession of all goods
 “ and effects whatsoever, according to the laws of
 “ Great Britain and France respectively ; in such
 “ manner however that the *wills*, and *rights of enter-*
 “ *ing upon the inheritance of persons intestate* must be
 “ proved according to law, as well by the subjects
 “ of the Queen of Great Britain, as by the subjects
 “ of the most Christian King, in these places where
 “ each person died, whether in Great Britain or in
 “ France, any law, statute, edict, custom or Droit
 “ d'aubaine whatever, to the contrary notwith-
 “ standing.”

Nothing can be clearer than that from this article, the eldest of the three children ought to have succeeded to the real estate, and that the administration of the personal ought to have been granted to the widow. Yet Mr. M——ll in his capacity of Chancellor declared the daughter heiress to the whole estate real and personal ; and N——H——e and Mr. B——r were appointed guardians to the infant, and administrators to the personal estate. The mother then petitioned for the guardianship, but her petition was dismissed under pretence that she should have proceeded by bill, notwithstanding the same Chancellor had granted letters of guardianship and administration to Messrs. H——e and B——r upon petition only : from this determination the mother prayed an appeal, which was granted, and the papers were delivered to Mr. S——ms——n the private Secretary and then register of the Court of Chancery, to have office copies made out, in order to prosecute the appeal ; in a reasonable time the mother applied for those papers and the proceedings, but she was told by Mr. S——ms——n that the dismissal of the petition, being only an *order* and not a *Decree* of the Court, an *appeal did not lie from* it.

Some time after the mother of the infant intermarried with M—h—l S———tt, Esq; a natural born Protestant subject, and possessed of considerable estates in the island. She was given to understand that if she applied to the Court, then consisting of the Governor and Council, *by bill*, the present guardians would *relinquish*, as Mr. H———e was going home, and Mr. B———r declined acting; accordingly a bill was filed, and the guardians in their answer desired to be discharged. All the relations of the minor earnestly desired that the mother should have the guardianship and administration, and although she offered any security the court could require, to abide by every order of the court, yet the custody of the minor's person and the administration of the estates were given to P——k M—xw—ll, Esq; a member of the council, and consequently of the Court of Chancery, Master and Examiner in Chancery, and a *single* man, without giving any security. It is to be observed that the guardians are accountable to the court, and their accounts audited by the master: consequently Mr. M—xw—ll must have audited his own accounts. From this second decision the mother appealed. A few weeks before his departure, M. M———ll again appointed guardians, and gave the custody of the minor and estate to J———n B—rr—au, and J———n A——ch——n, Esqrs. who intending to send the child to England, then about six years of age, and in such a bad state of health, that it was doubtful whether she would survive the voyage, the mother who was coming home at the same time desired leave to have the care of her child during the passage. But this request was most cruelly refused, notwithstanding she as well as the captain of the ship offered any security to deliver up the child upon their arrival in England to the order of the guardians.

Thus we see that although the cases were exactly similar, except that Mrs. S——tt, as being a new subject, was in a more favourable situation than Mrs. C—rf—r, yet the decisions of the Chancellor differed widely. If Mr. M——ll acted right in one case, he was flagrantly wrong in the other; we have heard some gentlemen of the profession say, that he acted irregularly and illegally in both. Should it be said that he refused the guardianship of the young heiress to her mother, because she was a Roman Catholic, the same reason should have prevented him from granting the guardianship of young G——n to his mother Mrs. C——r.

How little grounds there were for a preference of this nature in favour of Mrs. C—rf—r, appears from this circumstance, that Mrs. S——tt now educates her two sons at a well known Protestant school in Mary-le-bon; whilst Mrs. C—rf—r brings up her ward a Papist.

We shall only give one instance more of Mr. M——ll's conduct when acting as Chancellor. Mr. A——w I——n bought an estate from a French gentleman before the term of the emigration, who reserved a mortgage on it for the purchase money: this not being paid according to agreement, he brought an action of ejectment and obtained judgment. The proceedings at common law were stopt by an injunction issuing from the Court of Chancery, but upon a hearing, the equity of the complainants bill, which was little else than an inability to pay, was held insufficient, and the injunction was with propriety dissolved. In the mean time Mr. I——n had the lucky thought to sell part of the estate on very easy terms to Mr. J——n M——ll, the Chancellor's cousin. Part of the money being prepared and deposited, together with a bond

a bond for about 4200 l. payable to the Chancellor himself from I———n and Mr. R——t T——r, as the friend of the Chancellor and his cousin, not on behalf of Mr. I———n, but on account of the late connexion with the cousin by the purchase, which bond was received as cash; a second injunction was thereupon granted to stop the proceedings at common law on the same judgment. This we believe is the first instance of two injunctions being granted in one and the same cause, and in a case so circumstanced; or of any man's bond being taken as money paid into court.

We shall now say something of Mr. M———ll's disinterestedness, which, as well as humanity, delicacy, and tenderness of nature, is a virtue he constantly lays claim to.

M. De P———y, a new subject, being indebted to several persons, and particularly to Mr. T——r, a friend of Governor M———ll's, was pushed hard for the money; having a house in the Town of St. George's, Mr. M———ll purchased it as a repository for ordnance stores and provisions, for which there was no immediate occasion, and gave a most extravagant price, 1200 l. currency, for it. For the payment of this house he drew a bill on the treasury for 800 l. sterling, accounting exchange at 150 *per cent.* but exchange was then really 165. This bill he gave to De P———y, taking his receipt for 800 l. sterling as the price of the house. At the same time he made him give an obligation to repay 120 l. currency, the real difference between 800 l. ster. at 165 and 1200 l. currency, at 150 *per cent.* exchange. This difference was accordingly paid into the hands of Mr. S———n his private secretary, by Mr. D———m——y, Mr. De P———y's agent.

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The glacis of the fort was adjacent to the house formerly occupied by himself as Governor. A part of this ground he granted to his private secretary in trust for his own use, and built a house upon it at the expence of 200l. sterling. For this house, Gov. F——e, his successor, has, it is said, been inadvertently led to give a rent of 200 l. sterl. a year to Mr. M——ll, by the award of two members of the council, his friends, to whom it was referred.

We do not so much mention these two facts as flagrant instances of fraud or speculation, but as improper and inconsistent with his great boasts of disinterestedness.

His moderation and disinterestedness were further conspicuous in the fees of office which he took to himself. The only exorbitant fees taken in Antigua are those of the great seal, and them he adopted, following that virtuous and laudable example in all the other public offices in his government, by adopting out of all the colonies in America, the highest articles in each, and not the general fees of any one colony. For the colony seal to a grant, attestation, bill, or decree in Chancery, or any other instrument of writing, he took from 15l. 3s. 4d. to 16l. 10s. a grant of a lot of land to a poor settler, for the encouragement and speedy settlement of the ceded island, and a lot for a town-house or warehouse could only be obtained under the colony seal at an expence of about 30 l. For licence to sell spirituous liquors by retail, or punch, or to keep an eating-house, the Governor and Secretary had 18 l. every six months, when the public had by a tax but 30 l. and every other fee was by him exacted in the same proportion.

It is well known to be Mr. M——ll's constant practice to plead poverty, especially to the great men whose patronage he solicits: yet it is an undoubted fact that he has realized above 30,000l. sterling, that the produce of his estates in the islands under his government will next year be very considerable, and will annually encrease. The purchase of an estate in Scotland lately does not indicate the poverty he pleads. These things are not consistent with the character of a poor man, but they are very much so with that of Mr. M——ll.

We should run out this narrative to an unreasonable length were we to give a detail of the various acts of tyranny and oppression which he was guilty of against particular persons who happened to be the objects of his revenge, his caprice, or private spite.

His treatment of Lieutenant R—s and Captains Ch—mb—rl—n and D——m——q, will be found in the Appendix. The case of the first as published by himself, and his dispute with the other two in his own truly ridiculous letters*.

We shall likewise say but little of Colonel J——e's case, whom he stirred up his creature W——R—— to prosecute on the most trifling and ridiculous pretence: we shall only observe that in the time of his second and favourite assembly he procured the expences of this prosecution, amounting to above 200 l. to be discharged by the public money. In the account of this charge there are some very curious articles worthy of notice. Three and thirty

* See Appendix, No. 4, for the case of Lieutenant Ross; and Ditto No. 13, for the correspondence between Governor M——ll and Captains D——m——r——sq, and Ch——mb——rl——ne

pounds are charged as a fee to Mr. P——t, for his opinion as a Council, who however acted as Judge in the Colonel's cause. Such was the character and manner of life of Mr. W—R——n, Colonel J—e's prosecutor, that the Colonel happening one day to throw out that he would prosecute his prosecutor on the vagrant act, this jocular threat gave so serious an alarm, that the Attorney General was consulted on the occasion, and received 6l. 12s. as a retaining fee. This fee was likewise charged in the account, but by that time it had swelled to 16l. 10s. But this was nothing, fees were charged as paid to other lawyers, who never were consulted at all.

The reader will observe we do not at all enter into the merits of Mr. M——ll's dispute with L——t C——l J——e, but what opinion the most respectable gentlemen in the Colony, and the Assembly itself entertained of it, will evidently appear from two letters in the Appendix, No. 14 and 15. We only hope to be forgiven, if we mention that Mr. M——ll's principal motive for stirring up the ridiculous and malevolent prosecution against C——l J——e, was thought at G——a to be a tender attachment which the Governor entertained for the person of a military trull, the wife of a reduced serjeant, in the regiment under the Colonel's command.

It is well known that his Excellency abetted and supported this lady, in an action which she brought against C——l J——e for false imprisonment. It seems the lady, when under the influence of her cups, to which she was greatly addicted, had been one day very abusive to the Colonel in the Fort where he commanded, who ordered her under the charge of a centinel, to be confined in the usual place till she grew

grew sober. For this enormous crime * the Colonel was tried, but acquitted, much to the dissatisfaction, and greatly to the disappointment of this most *worthy* and most *excellent* Governor. On hearing the result, he is said to have torn the articles of war, and to have thrown them in a rage at his feet, and to have held no social intercourse for months with some of his dependants, who had been unable to answer his expectations in giving evidence at the trial: nor did he scruple to vent the most bitter abuse against the charge of the Chief Justice, and the verdict of the Jury, whom it seems he had not the same influence over, as he, in his rage, declared he had over the Assistant Judges.

During the whole course of this Narrative, we have carefully avoided entering into Mr. M——ll's transactions in his private capacity. We have not so much as hinted at any thing of that sort, except in the case of the serjeant's lady; of the widow whose marriage he prevented, by alledging she was mad; and of Augustin, where we endeavoured to account for the favour he shewed, and the protection he afforded to that

* It is to be observed, that this gentlewoman, had enlisted into the 70th regiment when it embarked at Corke for the West Indies, in the quality of Leagerlady; one of those females who are allowed to follow the camp in order to wash the mens cloaths, cook their victuals, and minister to their other necessary occasions. In this capacity she was mustered both on board ship and on shore; for though she had no pay, yet she was entitled to, and received the common allowance of provisions. Therefore, though not absolutely subject to martial law, she was certainly liable, both from the usual practice of the service, and the nature of things, to that correction and restraint which is absolutely necessary for preserving good order, decency, and peace. With this view the Colonel certainly confined her, and no doubt thought himself justified in so doing. The Chief Justice and Jury were of the same opinion. But, it seems, his Excellency thought otherwise. Even the best of men are apt to be led astray by the influence of the tender passions.

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abominable miscreant, from his friendship for P—y, and his connection with that man's incestuous family, particularly with his mistress, daughter, and grand-daughter, all which dear and endearing appellations are applicable to one and the same person only. We did this with a real reluctance, and merely for the satisfaction of the reader. For tho' the fact itself be undeniable, we mean the extraordinary things he achieved in favour of Augustin, yet somehow or other the mind does not easily give its assent to so unaccountable a business, and so unbecoming a person in his station, unless some probable motive be assigned for it.

Improbe Amor, quid non mortalia pectora cogis !

Mr. M——ll's pretensions to religion have been often mentioned ; whether sincere or not, is none of our business. We shall only say, that it is impossible for a religious zealot, whether really so, or only pretending to be so, to be a fit Governor for a Colony, circumstanced as G——a and its dependencies were. So that what Mr. M——ll and his partizans foolishly make his greatest merit to consist in, actually furnishes a very weighty objections against him. But this leads to a discussion of a political topic, the most interesting to the whole British Empire of any which has been agitated since the late pacification. That is the conduct, which, according to the maxims of good sense and sound policy, conquerors ought to observe towards their conquered subjects. We shall endeavour to treat this subject from general principles, with all the seriousness and philosophic coolness which its importance demands ; especially as it will be found altogether decisive in the present argument.

Conquerors can only render themselves firm and secure in the possessions of their conquests, by pursuing one of the three following methods. First, by

by utterly exterminating the original inhabitants; secondly, by themselves adopting their laws, customs, and manners; or thirdly, by pursuing such a plan of policy as will induce the conquered to adopt theirs. The first is so cruel and barbarous, so shocking to humanity, as well as repugnant to good policy, that it can only be justifiable by divine command, which we all know was the case with the Jews, the only people who steadily pursued that method of conquest. The second was followed by Alexander the Great, in his conquest of Persia, which had such an effect, that though immediately after his death, his succession was disputed by the bloodiest wars among his Captains, yet none of the conquered nations took advantage of these dissensions to recover their liberty, or to reinstate the descendants of their ancient monarchs on the throne. This method has likewise been adopted by the Tartars in China; the conquerors of China are now become Chinese; which naturally happens when a comparatively small number of warlike barbarians subdue a civilized, numerous, but effeminate people. But the third method of securing conquests, is most agreeable to the nature of things, and to the character and dignity of conquerors, conquests being generally made by the stronger over the weaker, the civilized over the barbarous, and the free over the slaves. This method seems to have been pursued by the Greeks in their settlements in Asia Minor, Sicily, and Italy, which appear to have been a mixture of conquest and colonization. But it was invariably followed by the Romans, who certainly owed to that measure both the rapidity and permanence of their conquests. The English have been so little used to making conquests, or rather to keeping what they have made, that it is no wonder they have not till lately adopted any steady plan with respect to them. Their only conquests be-

fore the late war were Minorca, and part of the Island of St. Kitt's. The French who remained in St. Kitts after the cession, being admitted to all the privileges of British subjects, became soon as thoroughly Englishmen as if they had been born and educated within the bills of mortality. Their descendants continue so to this day. But a quite different policy having been pursued in Minorca, the consequences have been answerable. Instead of a civil, a military government has been established, and no participation of British privileges has been offered to the original inhabitants; therefore they still continue bigotted Spaniards and Papists, averse to our laws, and unacquainted with our language. But had a legislature, with a Council and Assembly been settled, and a due participation granted to the inhabitants, it is past a doubt all would have been long ere now Englishmen, perhaps most of them Protestants. The rights and privileges they would have been entitled to share in, must have led them to the study of our laws and language, and the rest would have followed of course. In short, when a free people make conquests over the remote dependancies of a larger Empire, subject to an arbitrary monarch, nothing is so easy as to assimilate and make them the same people as themselves. They have only to offer them a share of their own rights and privileges. This flatters a vanity natural to men, it allures them with all the charms of novelty, sensible they were slaves before, they now feel they are men, they glory in being as free as their conquerors, and though they cannot set too great a value on their new acquirements, yet they are apt to place a greater difference between their present and former state, than perhaps philosophy would justify. In order to understand and claim the new rights which they so highly prize, they are obliged, and they undertake

take the task with pleasure, to study the laws and the language of their conquerors, after which they naturally adopt their manners, customs, and at last their religion. But the very reverse of all this happens, when the remote dependance of a free nation or a small free state is conquered by a people who have themselves no law but the pleasure of their tyrant. Such is and will be the case of Corsica ; and very different will the fate of that Island be from that of G—n—a, unless the latter should continue to be governed by a succession of M——lls.

At last, however, the wise and just policy above-mentioned, has been luckily adopted by the English in the conquests they retained at the late peace. It has happily succeeded in Canada and West Florida, for in East Florida none of the original inhabitants remained. No inconveniences have followed, and no complaints have been made against it, except by Mr. M——ll himself in the Political Register.* It would have succeeded to greater perfection still in the Colony of G——a, where the planters are more civilized than the *Coueurs de Bois* of the Continent, and of course more sensible of the advantages derived from a regular system of liberty. But here it was interrupted by the low prejudices, arbitrary disposition, and hypocritical zeal of Governor M——ll. He did all in his power, and has been too successful in converting that wholesome aliment into poison.

This leads to the consideration of the influence which a very powerful ingredient in human nature, we mean the religious principle, possesses in the treatment which conquerors are apt to shew to the conquered. Paganism, declared by one of the brightest ornaments of the Church of England,

* See the Political Register for last May.

to be the religion of all others the best calculated for promoting and securing the happiness of mankind, was extremely happy in this respect. From the fundamental maxims of Paganism, it was impossible for the old Greeks or Romans, whether they conquered or only travelled, to persecute or even dispute with people amongst whom they came on the score of religion. They either found out that the inhabitants worshipped the same gods with themselves, though under different names, or else they discovered that the gods they worshipped, were the gods of the country, or place; therefore whilst there, they thought themselves obliged to worship them too. On this account, a Grecian or Roman Governor would have felt none of Mr. M——ll's religious qualms; though he might not have believed in the real presence, indeed he would never have troubled his head about that and some other speculative doctrines he would have certainly paid divine honours to the Virgin and all the Saints; he would have thought them the local deities of G—n—a. God forbid we should recommend such a conformity to any British subject; we could only wish that he might so far embrace the mild and benevolent principles of Paganism, as to believe that Popery was at present the local religion of G—n—a; that the old inhabitants might be suffered to believe as they were bred; and indulging them with all the privileges of British subjects, make them Britons first and Protestants afterwards. Which has happened in St. Kitts, whuld soon be the case in G—n—a.

This system, quite consistent with our holy reformed religion, and its tolerating maxims, with the tenor of our laws, and the soundest policy, originally adopted by the administration, recommended and now endeavoured to be carried into execution by them, has been only counter-acted by

by Mr. M——ll and his creatures. We affirm that this system would be right, and agreeable to the soundest policy, were even Spanish or Italian Catholics concerned. But with those of the Gallican church, the matter is beyond dispute. From their denying the supremacy of the Pope, with all its consequences pernicious to government, and acknowledging that of the sovereign, they are by law entitled to greater privileges than the natural born Roman Catholics, who do not acknowledge the King's supremacy. For they are reformed in every political sense of the word.

Yet trivial, as a mere politician might be apt to think the differences between the Gallican Church and that of England, when handled by Divines or Theologians, only they become a very serious business. The animosities of that body of men, always encrease in proportion to the trifling nature and absurdity of their disputes: Their hatred is inexpiable, and has long been proverbial. Mr. M——ll, it is well known, is the offspring of a Theologian, one of a sect not remarkable for comprehensive charity; and it is not impossible, but this man, amidst all his libertinism may still retain those narrow prejudices which he sucked in with his mother's milk, and imbibed in his early youth. But he is only the more unfit on that account for the government he possesses, and now wants to exercise. If he hates the new adopted subjects of G—n—a theologically and absurdly, they hate him politically; therefore, of all mortals, and rationally they are the most unfit to have connections with each other.

Hitherto we have treated of the conduct which Conquerors ought to observe towards their conquered subjects on general principles. We shall now consider it in a view peculiar and interesting to the British Empire. When two neighbouring
states

states are rivals to each other, and at the same time superior to all others, so that they cannot be over-awed by them, it is impossible that the contest between them can end, but with the confirmed superiority of one, and in the utter destruction of the other, at least in the article wherein the rivalry consists. What we here say is confirmed by experience without exception, at least as far as history gives us information. Such was the case between Greece and Persia, between Rome and Carthage. What those states were in former times, Great-Britain and France are now; and the contest between them will never end, 'till either the British empire be dismembered, and Britain itself reduced to a French province, or 'till France be stripped of all her foreign possessions, and her marine totally annihilated; for it is impossible for Britain to conquer France, and were it possible, it would be impolitic to attempt it. 'Till one of these things be brought about, any peace between the two nations, can only be considered as a temporary cessation of arms. The last war, nowever successful on our side, was far from being decisive against France.

The operation of the passions on large bodies of men, is as certain as that of natural causes, and we may reason from the one in the same manner as from the other. Resentment in the Carthaginians for their losses in the first Punic war, brought on the second, wherein they were certainly the aggressors. Resentment in the French, for their numberless defeats and disgraces in the last war, will as infallibly bring on another.

Milton justly observes,

That never can true reconciliation grow

Where wounds of deadly hate have pierc'd too deep.

Wounds

Wounds of such deadly hate have passed between the French and English, and have been mostly inflicted by the latter on the former. The French can never forgive us, and the quarrel is irreconcilable.

Seeing then that war must at last inevitably ensue, it is natural for Britons to wish success to their country in this irreconcilable quarrel. And it is laudable to enquire into the ways and means, Those have been already pointed out.

We possess great advantages over all other warlike states, from the freedom of our constitution and the privileges of our people. Liberty, as it is natural, so it is most desirable to man, and once he tastes it, its allurements are so great, that they soon overcome all prejudices of country, education, and even religion. The French Colonists will soon perceive the difference between our new-adopted subjects, now become freemen, and themselves, still remaining slaves. An enemy holding out liberty, privilege, and equality as the price of their victory, can never be violently opposed; a conquest by them, will rather be courted. Thus our naval superiority still remaining, when the unavoidable dispute begins, it will probably soon be over, and peace being concluded on the only sensible plan, the *Uti Possidetis*, the quarrel, from the nature of things irreconcilable, and if running to a length, certainly destructive to Britain, may at last be decided in her favour, as far as it can, or ought to be decided.

But it is not from the wilds of Canada or West Florida, that the French Colonists will take their impressions of the superior advantages of our laws and government. It is from their own neighbourhood, the civilized and well cultivated Island of G—n—a. It is from thence they will judge of

R

the

the sincerity of our promises, and the specious goods we hold forth. Therefore our administration in that island, and our treatment of our new adopted subjects there, is of the last, indeed, of unspeakable importance; and very wary ought we to be in the choice of a Governor, upon whom so much depends.

The wise system relating to the new subjects, adopted, and so steadily pursued by the successive administrations during this reign, can never be enough commended. Yet those administrations have been so *discordant* in other things, that a man cannot help attributing the praise of this excellent measure to his Majesty alone; and our Sovereign derives infinite honour from it. But to do justice, the ministers, in their choice of governors, for the ceded provinces, have hitherto been blameless. Even in their unlucky choice of Mr. M——ll to this most important appointment of all, their only misfortune was that they were not endued with supernatural penetration,

*Hypocrisy is the only evil that walks
Invisible, except to God Alone,*

As Milton says: And every one who has perused the foregoing sheets, cannot but perceive proofs, of the most hollow and deceitful character. We are credibly informed that he had the address to persuade the ministry who first appointed him, that he was particularly grateful to the French Colonists, and that his influence over them, and intelligence with them, chiefly contributed to the reduction of Martinico. It is said to have been on this account only, that he was preferred to ever other worthier candidate, though of superior interest. But now, (besides the innu-

innumerable objections, and even formal charges against him in every capacity, and we have considered him in all,) that he has thrown off the mask; that he appears in his native colours, openly standing forth the tyrant, enemy, and oppressor of the new adopted subjects; the determined thwarter of the indulgences which his Majesty from the wisest system of policy, has graciously shewn them; that he is known to detest them and to be equally detested by them; every reason which operated for his original appointment, militates in a much more forcible manner against his longer continuance in that most important and consequential government. The ministers who first promoted him were blameless, on account of the dark veil of hypocrisy which he then wore; but now, when this hypocrisy is detected, or rather no longer subsists, the ministers who should still continue him, would be utterly inexcusable, for they would not have the same apology to plead, which justified their predecessors.

APPENDIX.

E R R A T A.

Page 118, line 31, for *which* read *what*. Ditto, line 32, for *would* read *would*. Page 119, line 31, read *politically and rationally*. Ditto line 32, *dele and rationally*. Page 120, line 22, for *however* read *however*.

APPENDIX.

No. I.

To his Excellency Robert Melvill, Esq. Captain
General and Governor in chief in and over his
Majesty's Southern Caribbee Islands in America,
&c. &c. &c.

And to the Honourable the Members of his Majesty's Council for the said Government.

The Memorial of the undersigned British Protestant
Inhabitants of the Island of Grenada,

Sheweth,

THAT your memorialists, sometime ago had heard with equal gratitude and satisfaction, that his majesty had graciously vouchsafed to grant to this island the invaluable blessing of a complete legislature; and being lately informed, that the completion of that measure is now under the consideration of your excellency and council; but that doubts had *arose*, whether the French, Roman catholic inhabitants of this island, (*who must still in the eye of the law be regarded as aliens*) are not entitled to vote in the election of members for the assembly.

Your memorialists, moved with a just respect and veneration for the *most* fundamental and constitutional laws of the mother country, think it their duty, on this occasion, to submit to your excellency and the honourable council, whether the admitting the French Roman catholic inhabitants to vote for representatives, would not

be striking at the root and foundation of those very laws, and might in the present state of this colony, upon any sudden emergency, greatly endanger the very being of the colony itself, as well as the property of his majesty's natural born Protestant subjects. For your memorialists apprehend, that every person who has a right to vote has a right to be elected, if qualified with respect to property. And by the vast superiority of the French inhabitants, in point of number, though inferior in point of property, it is easy to conceive of what set of men the assembly must be composed. But the dangers resulting from such a measure are too striking and alarming to escape the penetration of your excellency and council.

Your memorialists therefore humbly hope, that your excellency and the honourable council will take this matter into your most serious consideration, and pursue such measures as the present state of this colony, and the preservation of our most sacred rights and property require.

And you memorialists as in duty bound will ever pray.

* Ninian Home.

* Peter Gordon.

* Alexander Campbell.

* Thomas Bailie.

* Mungo Campbell.

* Walter Robertson.

* John Nelson, subscribes to

that part relative to its being

unconstitutional that the ca-

tholics vote.

* John Harvey.

* Thomas Shephard.

* Alexander Cockburn.

* John Nethercott.

* James Mackintosh.

* Charles Wilson.

* Thomas Townsend.

* James

* James Falconer.
* Theodore Alexander.
† Thomas Lucas.
† James Lucas.

*A true Copy, attested this 28th
Day of December, 1765.*

JOHN PIGOTT,

Deputy Clerk of the Council.

* These gentlemen have since, invariably supported governor M——l's measures, and persecuted the new subjects.

† These gentlemen having been inadvertently led to subscribe it, by the persuasions of a member of the council, afterwards made an apology to the new subjects.

No. II.

**Extract from the Minutes of the Assembly of the 29th
of April, 1767.**

P R E S E N T,

The Honourable Ninian Home, Esq. Speaker.	
John Melvill,	James Mackintosh,
William Mackintosh,	Alexander Campbell,
Thomas Baillie,	Mungo Campbell,
William Bartlet,	James Taylor,
Robert Young,	John Pigot,
Thomas Shephard,	Esquires.

The house being met, the minutes of the preceding day were read and approved.

The following message was received from the Council.
His honour the President and Council.

To the Gentlemen of the Assembly.

Gentlemen,

THIS board having passed a bill to free Augustin, a negroe-man slave, belonging to Couston, of the parish of St. John in this island, Grenada, planter, or to whomsoever else belonging, herewith send it to your house, and desire your concurrence thereto.

By command,

Ar. L. Piggot,

April 29, 1767.

Deputy Clerk of the Council.

Ordered, That the said bill be read for the first time. Then *Mr. John Melvill* moved, and was seconded, that the bill should be read for the second and third time immediately, which *Mr. William McIntosh*, opposed as contrary to the established rules * of this house, and being seconded, after some debates, the question was put, and the house divided.

* Rule, That no bill be read more than once in the same day, *"unless upon an emergent occasion."*

For the bill being read the second and third time immediately. Against the bill being read the second and third time immediately.

Mr. Piggott

Mr. Taylor

Mr. Alex. Campbell

Mr. James Mackintosh

Mr. Bartlet

Mr. Sheppard

Mr. Baillie

Mr. Robert Young

Mr. Mungo Campbell

Mr. William Mackintosh

Mr. Melvill

Resolved, That the bill do receive the second and third reading this day.

Ordered, That the said bill be read for the second time.

Ordered, That the said bill be read for the third time.

Then *Mr. Melvill* moved, and was seconded, that the bill do pass, which was opposed by *Mr. William Mackintosh*, alledging, that the said negroe, Augustin, by

by having (as it is confidently reported) committed a rape on a white woman, and being accessory, if not the principal, in several murders, robberies, and other atrocious crimes, particularly the murder of Mr. Vandel, is not intitled to the pardon, granted by an Act, intituled, "An Act for the more speedy and effectual suppression of runaway slaves;" to runaways, surrendering themselves within a limited time, far less is he intitled to his freedom; and being seconded, after the subject was long debated, the question was put, and the house divided.

For the bill passing.

Mr. John Pigott

Mr. Alex. Campbell

Mr. Mungo Campbell

Mr. Taylor

Mr. Bartlet

Mr. Baillie

Mr. Melvill

Against the bill passing.

Mr. William Mackintosh

Mr. Sheppard

Mr. Young

Mr. James Mackintosh

Resolved, That the bill do pass.

Ordered, That the following message be sent to his honour, the President, and Council.

This house have agreed to the act to free Augustin a negroe-man slave belonging to Couston of the parish of St. John in this island Grenada planter, or to whomsoever else belonging, and herewith return the same to your honours,

Ninian Home, speaker.

19th April 1767.

Ordered, That Mr. Melvill and Mr. William Mackintosh do carry the said message and bill to his honour the President and Council, who returning reported the delivery thereof.

Note. The council and assembly met this day at 12 o'clock, and this bill originated in, was read three times, and passed the council; sent down, read three times, and passed, in the assembly; returned to the council, laid before the governor *then sitting in council*, and assented to, before 2 o'clock in the afternoon of the same day.

The

The *emergency* which rendered the rapid progress of this law necessary, was the governor's departure next day to the other islands; and he dreaded the safety of Augustin, while the testimony of other slaves was valid against him, if he continued a slave in his absence unprotected.

No. III.

Presentment of the grand jury against Augustin, 10th March 1768.

Grenada.

WE the grand jurors for our sovereign Lord the King, on our oaths present Augustin, a negro man slave lately set free by the legislature of the Colony, for that the said Augustin having been a chief, or principal of the gangs of rebellious slaves, which have for some time infested the said island of Grenada, and committed several murders, robberies, and many enormous acts of violence and insolence; and having (as it is confidently reported) committed a rape on the body of a white woman; at diverse times threatened the life of Mr. Couston his master, and having been accessory, if not a principal in the murder of Mr. Vandell, *before* he was so set free; and the said Mr. Couston his late master, having since the freedom of the said Augustin, quitted this island and his property, publicly declaring his sole motive therefore to proceed from his apprehensions of being murdered by the said Augustin, and has in consequence directed his plantation and effects to be sold under value, as he cannot without exposing his life remain here, or even return to dispose of his property.

And we the grand jury humbly apprehend that if such atrocious offences are suffered to pass unnoticed, the consequences may be very dire and fatal to the colony in general.

Signed

A. Middleton, *cum socijs.*

No. IV.

The case of Lieutenant Ross of the Artillery.

LIEUTENANT Thomas Ross of his majesty's royal regiment of Artillery being on duty in the island of Dominica, obtained leave of Governor Scott to be absent for one month on his own private business in the island of Grenada; where he arrived on the 6th day of July 1767, and waited on Captain Hicks then commanding officer at Fort royal; a compliment generally paid by officers on their arrival at any Fort, or Garrison. Governor Melvill being absent on a tour to the other islands of his government, he did not conceive it necessary to pay any compliment to the *government house*, but on the 9th he received the following note from Mr. Alexander Symson the governor's private secretary.

" Mr. Symson's compliments to Mr. Ross, and
 " informs him, by command of his honour the
 " president * that he is much surprised that Mr.
 " Ross has not waited on him since his arrival
 " from Dominica, which he cannot but have
 " known was his duty.

" St. George's July 9th 1767."

This message, taxing Mr. Ross with neglect of duty surprised him greatly. On enquiring he found it was neither usual, nor a necessary part of an officer's duty on his arrival in any city or corporate town in Great Britain or Ireland to wait on the chief *civil* magistrate, except it was when on actual service necessary to require the civil magistrate's authority to procure quarters or carriages for the troops. Far less was it incumbent on him to wait on the chief *civil* magistrate as a point of duty, when he came in the character of a private gentleman; satisfied therefore that he had not been guilty of a neglect of duty, and

* Meaning, we suppose, R——t T——r.

declining

declining to enter into an altercation on the subject, he thought it most prudent not to answer the note.

Governor Melvill arrived at Grenada from his tour to the other Islands on the 14th of July, and on the 17th Lieutenant Rofs waited on him. In a few days after he dined with the governor by invitation, entered into general conversation on the subject of accounts, and the state of the fortifications and ordnance stores in the island of Dominica; and the governor particularly expressed his approbation of the distinct relation made him by Lieutenant Rofs.

On the evening of the 23d of July, Lieutenant Rofs, after spending an agreeable day, and drinking a cheerful glass with a few friends, went to Mr. Sullivan's tavern, (where the friends and partizans of governor M—— held a nocturnal political club, and where all their intrigues and measures were hatched, and combinations formed to ruin or distress individuals, who could not by flattery, persuasions, threats or corruption be brought to enter into their association,) and he had not been there many minutes when Mr. James Taylor the ordnance store-keeper and pay-master, came in; after some conversation Mr. Taylor asked Lieutenant Rofs to eat some cold mutton with him, which lay on a table at the further end of the room; Lieutenant Rofs refused; Mr. Taylor insisted; at length Mr. Taylor making towards the mutton, said, *Come on, I will show you a precedent*; Lieutenant Rofs, replied, *Damn your precedent, and precedency; I know my duty better than your president can teach me, I had no right to wait on him on my arrival in this island.* Captain P—r G——n, who it seems had overheard the conversation, and who at that time was acting both in a civil and military capacity (member of the council, and a captain in his majesty's 70th regiment) immediately accosted Lieutenant Rofs, and told him that it was his duty to have waited on *him*, if he did not think it proper to wait on the president Mr. Turner; (he being senior officer to Captain Hicks, though then on his plantation on the opposite side of the island;) Lieutenant Rofs returned an answer suitable to the manner in which he had been publicly attacked; whereupon Captain G——n ordered Lieutenant Johnston of the 70th regiment to put him
under

under arrest), but Captain G——n having been as free with his glass that afternoon as Lieutenant Ross had been, he next morning discovered the impropriety of his own conduct, and an amicable accommodation was effected between them. Amongst others who had overheard the conversation in the tavern, was Mr. Connor deputy collector of his majesty's customs, who innocently and without design as a piece of news mentioned it next morning in the custom-house to his brother officer Mr. Corfar, comptroller of his majesty's customs, and who also happened to be a member of the council; Mr. Corfar only then observed that Mr. Ross, Mr. Connor, and Mr. French, who happened also to be present, would be brought before the council board; this declaration the other gentlemen regarded only as a joke, not dreaming that he would basely betray a private conversation, which they themselves did not view in a criminal light. But on the day following as Lieutenant Ross was walking in the street, he was presented with the following Summons.

“ St. George's, 25th July, 1767.

“ Sir,

“ YOU are hereby required to attend the committee of *his majesty's council** at the council chamber, on Monday next the 27th instant, at 8 o'clock in the morning. By command.”

John Somerville,

Deputy clerk of the council.

To Lieutenant Ross, in his majesty's royal regiment of Artillery.

In obedience to this summons issuing from a court, resembling, and in fact arrogating the same powers as those of the star chamber court, Lieutenant Ross attended the committee of the council at the council chamber on the 27th. — When † Mr. Graham informed him

* The council in its private, not in its legislative capacity.

† The president lately suspended from the council.

that he was brought before them, to answer for the crime of abusing the president and council; Lieutenant Rofs desired to know who was his accuser, and after some hesitation, he was told, *it was Mr. Corfar, a member of that board.* — Then this unconstitutional court proceeded to swear and examine evidences, who declared to the following purpose.

Mr. Matthew French declared, that on the evening of the 23d instant, happening to be in Mr. Sullivan's tavern, with Mr. Connor, he saw Lieutenant Rofs and Mr. Taylor, both seemingly merry, walking up and down the hall of the tavern; that Mr. Taylor desired Lieutenant Rofs to come and eat some cold mutton with him at the other end of the hall; that Mr. Rofs refused, and Mr. Taylor insisted, making at the same time towards the table where the mutton lay, and taking up the knife and fork, said, that he would shew Mr. Rofs a *precedent*, upon which Mr. Rofs said, *Damn your precedent, and precedent*, I know my duty better than the president can inform me; that Mr. Rofs said he had received a card from a gentleman signifying that the president was surprized he had not waited on him on his arrival from Dominica, as he, Mr. Rofs must have known it was his duty; that Mr. Rofs further said that he had no business to wait on the president, whereupon Captain G——n interposed in the conversation. Mr. Graham here interrupted the evidence, and asked him, whether he understood by the word president, that Mr. Rofs meant the honorable Robert Turner, or not? The witness answered, that he did imagine it was. Lieutenant Rofs then desired, that Mr. Graham would ask the witness, whether by the words expressed by him at that time, he (the witness,) could positively say, that the honorable Robert Turner was meant? but this question, he neither would ask, nor allow to be answered.

Mr. William Connor declared in substance as Mr. French had done and no more.

Then Mr. James Taylor's evidence concluded the examination by corroborating the testimonies of Mr. French and Mr. Connor, with this addition only, that he desired Mr. Rofs *not to damn the president, for he was his*

his friend. Lieutenant Ross was desired for that time to withdraw, and the court continued sitting.

As Lieutenant Ross's leave of absence from his duty at Dominica, was nearly expired, he went out to the Governor's country house on Saturday the 1st of August, in order to know from him if he could depart the island to join his command at Dominica; but that being one of the days of his excellency's invisibility he could not be resolved. However, to prevent the possibility of being charged with breach or neglect of duty, he again waited on him at his secretary's house in town on the Monday following (the 3d of August) when the governor accosted him, after the following manner; *Mr. Ross what was your reason for abusing Mr. Turner? I always made myself sure that the artillery would not enter into any parties, and thought that you had better sense; do you know that you attacked the king in person by damning Mr. Turner?* Lieutenant Ross, answered; *That the words proved against him before the committee of the council, were uttered only to a gentleman in private conversation, having no evil meaning, and little thinking, that they were to be carried further; that he detested PARTY matters; that he came to Grenada about his own private affairs, determined not to meddle in the party disputes of that island; that as to having attacked his sovereign in person, through Mr. Turner, it never could admit of that meaning, by any well disposed person; that had Mr. Turner's name been mentioned by him in the conversation with Mr. Taylor, it could not be more criminal, than if he had damned any other member of the council, or an individual, as his authority as president had ceased nine days before the words were uttered, by the arrival of his excellency on the 14th of July in the island, and these were spoke on the evening of the 23d.* The governor asked him; *who represented the king in Grenada?* Lieutenant Ross answered; *You do, sir.* He then asked, *who represented the king in the leeward islands?* Lieutenant Ross answered. *He supposed the governor.* He said, *No, it is a president.* Lieutenant Ross observed, *That the case was not similar, as he the governor had not been out of the government; and that therefore the supreme command had not devolved on any other.* Then the governor asked him; *why he did not answer Mr. Symson's note?* declaring his silence to have been ill manners. Lieutenant Ross answered; *That having had leave of absence from lieutenant governor Scott, from his detachment at Dominica for one month, and*

Having waited on the commanding officer of the garrison at Fort Royal, he thought that note from Mr. Symson charging him with neglect of duty, was an act of injustice, as he had never known, that the chief civil magistrate in any city, or town corporate in Britain or Ireland, either required or expected that compliment as a point of duty from any military office, except upon an application to shew the route in order to procure quarters or carriages. The governor seemed highly dissatisfied as well with his conduct as his answers, and told him he should have informed himself better of his duty; that although he did not approve of all Mr. Turner's proceedings, yet he (Lieutenant Ross) should have paid him a compliment. At parting, as the governor had got out of the room door, he turned about, and said, that when he (Lieutenant Ross) had any business to communicate, he desired Lieutenant Hook of the Artillery, to wait on him (the governor) concerning it.

On the 6th day of August, as Lieutenant Ross was going to dinner, he received general Melvill's compliments by an orderly sergeant, and that he would be glad to speak with him on business immediately, at the court house. Lieutenant Ross returned his compliments, and that he would have the honor of waiting on his excellency instantly; he accordingly repaired to the court house, and being directed to the council chamber, he there found the governor and council assembled; his excellency rising from his seat, addressed him in these words,

Mr. Ross, I have called you here; as you have heard them, so I believe it is needless to repeat the substance of the evidences against you; I have already spoke to you, and gave you my opinion on that head: I am now to inform you, that you are immediately to give bail of 200l. for yourself, and to find two responsible persons to enter into recognisances in one hundred pounds each for your personal appearance at the first court of Oyer and Terminer.

After making this elaborate speech, he appealed to his council, for the propriety and mode of his expressions as a civil magistrate; who all bowed their heads in token of approbation and submission: Lieutenant Ross hereupon requested only leave to go and find bail, to which the governor made answer; *that, that indulgence could only*

Still exercising the authority of a judicial court, in their private capacity.

be granted by the provost marshal at his peril, as he was then in his hands, a prisoner; Lieutenant Ross thereupon turning round, saw the provost marshal at his right shoulder. Lieutenant Ross then addressed the governor to this purpose; Sir, had I understood by your messenger, the orderly serjeant*, that I was sent for to give bail, to answer a charge which I do not think criminal, I would have brought securities with me; the governor replied; that it would be ungentle to send such a message by an orderly serjeant. The provost marshal having more real complaisance and humanity, than the court, accompanied Lieutenant Ross to a private house; when he sent for, and procured two gentlemen to return and give the bail desired before the governor and privy council: for this indulgence however he was obliged to pay the provost marshal three pounds six shillings.

That no time might be lost in resenting the affront offered to this favourite member of the council, and that their passions might not have time to subside, a special court was held by commission on the 11th of August to try this affair, and another prosecution stirred up by the g—r, and the c—n—l, against the officers of the 70th regiment and of his majesty's ship Scarborough. As Mr. Turner the senior council was so immediately interested in one of the prosecutions, decency obliged him to resign the presidency of the court to his friend Mr. John Graham the next senior counsellor; and that able judge, in conformity to the examples of morality, moderation, and domestic virtues, set by himself, opened his charge to the grand jury, by representing that churches had not been built, when, by preaching the word of god, the evil practices daily committed might be prevented; that he particularly recommended to their most serious attention the causes then coming under their consideration, as the only expedient to deter in future these wretches (meaning and looking at Lieutenant Ross and the officers of his majesty's 70th regiment and his majesty's ship Scarborough) who by the power of liquor, dare muster up courage enough, to sally forth, and insult his majesty's best liege subjects. The grand jury to the astonishment of every disinterested person having found a bill against Lieutenant Ross for slander; he desired to have the indulgence of counsel in his defence, and by his desire Mr. Mac Farlan was assigned him. As some other matters were the

* A Serjeant belonging to the Regiment.

before

before the court, it gave an opportunity to Mr. G—h—m and some of the judges to enter into treaty with Lieutenant Ross's council, recommending to him to make use of the most prevailing arguments to persuade Lieutenant Ross to submit his cause to the mercy of the court, in which case his fine would be very trifling, but if on the other hand he did not submit, and if the petit jury found him guilty of the indictment, and the extent of the fine lay in the breast of the court, they would shew him no mercy but fine him to the tune of 500l. or 600l. sterling. Mr. Mac Farran, uncertain of the determination of the jury, however improbable, that they should find the allegation set forth in the indictment in the criminal view in which it was represented, and relying on the promise of the bench on the one hand, and fearful of their resentment on the other, he with much difficulty and by the interposition of other friends overcame the resolution of Lieutenant Ross; who submitted his cause accordingly to the mercy of the bench consisting of

Mr. John Graham president. } Members of the
William Lindow. } Council.

Alexander Symson, the Governor's secretary.

John Piggot,

James Taylor, and

John Nethercott.

The court having thus almost unexpectedly, and t—ch—ly gained their point, after ordering the confession to be recorded, the president Mr. Graham rose up, and delivered the sense of his brethren and himself in these words. — Mr. Ross, you ought to be ashamed of yourself; you who are sent here to suppress evil proceedings, and to support the laws of your country, are the greatest transgressor of them; it is a very pretty place to go into a public tavern and damn the presidency, and president, (meaning the honourable Robert Turner; no Ross, no Colmuck, could be guilty of so heinous & atrocious a crime as you have been. As for myself, it is my humble opinion (I know not how far my brethren will agree that

with me) that the extent of your fine, should be the extent of your fortune.

The court then proceeded to consider of the fine, and Mr. Graham pronounced it to be sixty pounds sterling, which with the fees of court, amounted to seventy four pounds fourteen shillings sterling; equal to seventeen months and twenty six days subsistence, as lieutenant fire-worker in his majesty's royal regiment of artillery.

Number V.

The case of Cazaud de Roumillac.

IN the latter end of the year 1766. Governor Melvill, having thought proper to dissolve the general assembly of Grenada, and fearing lest the members thereof, if elected a second time, should still oppose his measures, intimated to his majesty's new subjects, that in case they voted for such candidates as he should recommend an act might be passed to enable a certain number of them to sit in assembly.

When the elections came on, several of the members of the former assembly having declined to stand, and the new subjects having voted in general as Governor Melvill would have them; the second assembly was composed in a great measure of such persons as he wished for.

Shortly after the meeting of this assembly, a motion was made therein by Mr. Pigot, and seconded by Mr. Robertson, and inserted in the Grenada Gazette, in the following words, " For leave to bring in a bill to declare all his majesty's new subjects of this island Grenada, and the Grenadines formerly subjects to his most christian majesty, and now ceded to the crown of Great Britain by the late treaty of peace to all intents and purposes capable of enjoying the same privileges and immunities as if born in any of his majesty's dominions." And a committee was appointed accordingly.

On the 14th of October, 1767. An act of the council and assembly was passed entitled, " An act for regulating the election of the general assembly of Grenada
" and

"and the Grenadines, and for the better ascertaining the qualifications of electors and elected". And the assembly being chosen for a year only, was of course dissolved; the new subjects hearing of this act, concluded from the intimations of Governor Melvill, the motion made in the assembly by Mr. Piggot, and Mr. Robertson, and from several letters wrote them by their correspondents in England, signifying that his majesty and his ministers seemed graciously disposed to abolish all distinctions between them and the old subjects, that a certain number of them must under this act be admitted to sit in the assembly.

Whereupon Mr. Cazaud de Roumillac, Mr. Devouconu, Mr. Demonchy, and some other gentlemen of considerable Fortune, sent to the secretary's office and desired to see this act; there, they were told it was in the hands of the printer; then they went to him, and were informed that it was in the press, and would be ready in a day or two; however, they never could obtain a copy or even a sight thereof, until the 10th of November following, *the day after the election for the town of St. George.*

The poll being opened on the 9th of November, Mr. Demonchy, was set up as a candidate. (*Note the town and parish send six members*) And several freeholders, crowded to vote for him, but Mr. Robertson the returning officer refused to take down his name or to receive any votes for him, alledging that Mr. Demonchy, was a roman catholic, to which Mr. Demonchy answered, *that he did not stand as a roman catholic, but as a new subject.* This answer had no effect on Mr. Robertson, he still persisted in his refusal, upon which Mr. Cazaud came up with a protest, signed by himself, and several of the new subjects, and began to read the same, but Mr. Robertson called for constables to turn him out; then Mr. Demonchy took the protest and attempted to read it, constables were again called for by Mr. Robertson, and by Mr. Nethercott, to carry Mr. Cazaud, and Mr. Demonchy to prison: The constables at length came up, and laying their hands upon Mr. Demonchy, and Mr. Cazaud, forced them to retire several paces, Mr. Demonchy having first laid the protest upon the table which Mr. Robertson then threw upon the floor.

Please

Please to observe that by the act for regulating elections any qualified person after he is elected, taking the oaths of allegiance and supremacy and subscribing the test before the governor and council, is intitled to sit in the assembly, and any person elected is liable to pay a fine of 100 pounds for refusing to take these oaths and subscribe the test.

The election being over, Mr. Robertson wrote the following letter to governor Melvill.

SIR,

“ I H A V E the honour to inform your excellency,
 “ that agreeably to your excellency’s writ to me directed
 “ while I was taking the poll as returning officer for the
 “ town of St. George’s, Mr. Devoconu, one of the new
 “ adopted subjects, offered to set up Mr. Demonchy an-
 “ other of them as a candidate; that, agreeably to the
 “ election bill, I demanded if, he, Mr. Demonchy, was
 “ a protestant, knowing him not only to be a reputed,
 “ but *believing* him to be a professed roman catholic, to
 “ which he replied, I had no right to ask him any ques-
 “ tions and insisted in a violent and impetuous manner
 “ upon being entered upon the poll as a candidate, which
 “ *(having previously consulted his majesty’s attorney general)*
 “ I refused as being contrary to an express clause in the
 “ election bill, which says provided the candidate so pro-
 “ posed be a protestant. Whereupon a great uproar ensued
 “ from the said Mr. Demonchy, and many other of
 “ the new adopted subjects, who had come there to sup-
 “ port his pretensions, and particularly Mr. Cazaud,
 “ who though no freeholder in the town, began in a
 “ tumultuous manner to read a French paper which he
 “ called a protest, which I would not permit, then the
 “ said Mr. Demonchy took the said paper and attempt-
 “ ed to read it, which I prevented, then Mr. Demonchy
 “ threw down the paper before me on the table, declare-
 “ ing at the same time they protested against me for re-
 “ fusing them their just rights, &c. &c. He, Mr. De-
 “ monchy, in particular, during the whole poll, continu-
 “ ed to threaten me with prosecutions at law, for every
 “ freeholder’s voice that was offered for him and refused

* C

“ by

“ by me, upon my perusal of the paper after the election
 “ was over, I found it in my opinion, so gross an insult
 “ upon the legislature of the colony and so daring an at-
 “ tempt to violate one of its acts and containing likewise
 “ many gross misrepresentations and seditious insinuat-
 “ ons, that I desired Mr. Middleton, acting for the
 “ sworn interpreter, to translate it; and now I think it
 “ incumbent upon me to lay it before your excellency,
 “ with the translation that such proper steps may be taken
 “ as to your excellency shall seem meet. I have the ho-
 “ nour to be with the greatest respect,”

Sir,

His excellency. Your excellency's most obedient,
 General Melvill, and most humble servant.

W. R.

COPY of the protest.

“ NOUS soussignés, les nouveaux sujets adoptés par
 “ sa majesté Britanique déclarons protester & protestons
 “ contre l'injustice qu'il y auroit à pretendre etre en droit
 “ de nous juger sur un bill d'élection dont pas un des
 “ nouveaux sujets n'a connoissance jusqu'à ce moment
 “ present destiné à l'élection pour laquelle nous sommes
 “ assemblés, par les mesures qu'on a prises pour le tenir
 “ secret. Protestons en outre contre ce que le dit bill
 “ pourroit contenir de contraire à nos interets, protestons
 “ en outre contre tout ce que a pu jusqu'à present ou
 “ pourra se faire à l'avenir de contraire à nos droits, com-
 “ me étant aussi contraires aux intentions justes & pater-
 “ nelles de sa majesté, aux pieds de qui nous porterons
 “ notre douleur & nos plaintes qu'on a eu jusqu'à pre-
 “ sent l'adresse détouffer par les insinuations reiterées
 “ que cetoit manquer à l'autorité que de reclamer la
 “ justice. Ce 9. Novembre, 1767.”

TRANSLATION of the protest.

“ WE underwritten, his majesty's new adopted sub-
 “ jects, declare that we protest, as we do hereby protest
 “ against the injustice there would be in pretending to
 “ have a right to judge us upon a bill of election of which
 “ by

“ by the measures that have been taken to keep it secret, not
 “ one of the new subjects has the least knowledge even at this
 “ moment, when the election is to take place and for which we
 “ are assembled; we further protest against whatever may
 “ be contained in the said bill contrary to our interest;
 “ we further protest against all that has been done or
 “ may be done in future against our rights, as being also
 “ contrary to the just and paternal intentions of his ma-
 “ jesty to whose feet we will carry our grief, and our com-
 “ plaints, which they have hitherto had the address to stifle by
 “ repeatedly insinuating that it was offending the government
 “ to claim justice. This 9th day of November, 1767.

This letter and the protest were laid before the council by governor Melvill, and the following letter was wrote and delivered to Mr. Cazaud :

S I R,

“ Y O U are hereby required to give your attendance
 “ on the honourable the council of this island, at the
 “ court house in the town of St. George's, on Friday
 “ next being the 27th instant, at ten o'clock in the
 “ forenoon; then and there to answer a complaint now
 “ under consideration of this board, concerning a pa-
 “ per signed by you.”

I am

Sir,

Your humble servant,

JOHN SOMERVILLE.

November 20th, 1767. Deputy clerk of the council.

Mr. Cazaud not being able to attend the council at the time required, wrote an answer to Mr. Somerville to excuse his attendance; but this letter he apprehends never was received, no mention having been made of it. As there was another council appointed for the second of December, Mr. Cazaud went to the town of St. George's on the 1st, in order to attend it, accompanied by Mr. Scott, whom he took not only as council but also as interpreter, Mr. Cazaud not being able to speak the English language.

• C 2

Upon

Upon Mr. Cazaud's entering the town the 1st of December in the evening, after sun-set, he was apprehended by a constable in the presence of several persons upon the following warrant.

G R E N A D A.

“ **T**O the provost marshall of the said island or his lawful deputy.”

“ Whereas a summons issued under the hand of the deputy clerk of his majesty's council, bearing date the 20th instant, requiring the attendance of Cazaud de Roumillac, on a committee of the said council at St. George's, on Friday the 27th instant, and the said summons was afterwards personally served on the said Cazaud de Roumillac by James Robins, a bailiff of the provost marshall of this island, as appears by the return thereof on the oath of the said James Robins, and whereas the said Cazaud de Roumillac, having, in contempt of the said summons, of the authority of the said council, and the said committee, refused or neglected to appear before the said committee pursuant to the said summons.

“ These are therefore in his majesty's name, to authorize and require you, to make diligent search for the said Cazaud de Roumillac, and him, when found, to apprehend, to bring before the members of his majesty's council, to answer the matter of the said contempt, Hereof fail not at your peril. Given under our hands and seals, at St. George's, this thirtieth day of November, 1767, and in the eighth year of his majesty's reign.”

(Signed)

Rob. Turner.
Jo. Graham.
Patt. Maxwell.

Mr. Cazaud persuaded the constable to go with him to the house of Mr. Scott, where, with much difficulty, he obtained permission to remain in custody until the next morning, when he was conducted by the provost-marshall before the council-board; and, being there, the interpreter

interpreter of the council was directed to ask him, if he had not received a summons, or why he did not attend it, or some questions of that kind relative to the letter. Mr. Cazaud then desired the assistance of council, and also said, that he was advised not to answer any questions, unless he had such indulgence. The interpreter repeated the question: Mr. Cazaud again desired his council might be admitted. Immediately one of the members of the council said, that this was a contempt of their board, and that he was of opinion, to send Mr. Cazaud to goal. The president replied, he was of the same opinion; and that he ought to be sent to the fort; he of the council, who first gave his opinion, insisted that he should be sent to the common goal, and all the other members, except Mr. Proudfoot, concurred with him; whereupon a warrant for his commitment was immediately drawn up; Mr. Cazaud observing they had not inserted in the warrant, that he had desired his council might be admitted to instruct him, desired this might be specified, when he was told that it was inserted: Mr. Cazaud still perceiving that no notice was taken in the warrant of this request, pressed a second time to have it inserted, when he was told it was unnecessary, as it was wrote in the minutes of the council, though the minutes of the council, at the time Mr. Cazaud attended, were wrote upon a sheet of loose paper.

After the interpreter had explained to Mr. Cazaud the purport of the warrant, Mr. Cazaud said to the council, "Gentlemen, I cannot understand how it is a contempt in me of your board, to have asked the assistance of council?" He then offered sureties for his appearance, to answer for any crime that might be laid to his charge before any court, but it was refused. Then Mr. Scott, at the door of the council-chamber, desired admittance to his client, Mr. Cazaud, but was refused.

The

The following is a copy of the warrant.

GRENADA.

“ WHEREAS a summons, by order of the mem-
 “ bers of his majesty’s council, issued under the hand
 “ of the deputy clerk of the said council, bearing date
 “ the 20th day of November, in the eighth year of his
 “ majesty’s reign, directed to Cazaud de Roumillac, re-
 “ quiring him personally to attend on, and before a
 “ committee of the said council, in the town of St.
 “ George, on Friday the 27th of the said month of
 “ November. And whereas the said summons was on
 “ the 21st day of the said month, personally served on
 “ the said Cazaud de Roumillac, by James Robins, a
 “ bailiff of the provost-marshal of this island, as ap-
 “ pears by a return thereof on the oath of the said
 “ James Robins; and whereas the said Cazaud de Rou-
 “ millac, in disobedience and contempt of the said
 “ summons, and of the authority of the said council,
 “ refused to appear and attend on the said committee,
 “ as by the said summons was required, and thereupon
 “ a warrant issued, bearing date the 30th day of the said
 “ month of November, was directed to the provost-
 “ marshal of the said island, to apprehend the body of
 “ the said Cazaud de Roumillac, and when apprehend-
 “ ed, to bring him before the council, to answer the said
 “ contempt. And whereas the said Cazaud de Rou-
 “ millac hath, by virtue of the said warrant, been ap-
 “ prehended by Henry Wright, also a bailiff of the said
 “ provost-marshal, pursuant to the direction of the said
 “ warrant, was this day brought before the members of his
 “ majesty’s council, and being interrogated concerning
 “ the disobedience and contempt aforesaid, it appeared
 “ to the said council, that the disobedience of the said
 “ Cazaud de Roumillac to the summons was willful,
 “ and done in scorn and contempt of the dignity, au-
 “ thority and justice of this board, but wilfully persist-
 “ ing in his obstinacy and contempt, hath not made
 “ any submission for the said offence, but did, in still
 “ higher contempt of this board, refuse to answer any
 “ questions put to him, but said, it was his lawyer’s
 “ opinion

"opinion he should not answer any questions that
 "should be put to him, and he would follow his ad-
 "vice.

"These are therefore in his majesty's name, to au-
 "thorise and require you, William Beaty, Esq. deputy
 "provost marshal of this island, to receive into the
 "common goal the body of the said Cazaud de Roumil-
 "lac, and him in safe custody there keep, until he shall
 "under his hand, make such submissions for his disobe-
 "dience and contempt, as his majesty's council in coun-
 "cil shall judge consistent with their honour and dignity
 "to accept; and as the nature of his example *for ex-*
 "*ample sake*, requires, and for your so doing this shall
 "be your warrant."

"Given under our hands and seals *in the presence*
 "*of his excellency in council* at the council chamber
 "St. George's this second day of December, in
 "the eighth year of his majesty's reign." Signed,

Rob. Turner,
 John Graham,
 Patt. Maxwell,
 Wm. Lindow,

Fred. Corfar,
 P. Gordon,

G R E N A D A.

A true copy from the original, examined and attested
 the third day of December, one thousand seven hundred
 and sixty seven."

JOHN SOMERVILLE.

Deputy clerk of the council.

By virtue of this warrant Mr. Cazaud was conducted
 to the common goal where felons and slaves are usually
 imprisoned; and, being advised to make a submission as
 soon as possible, he wrote to the president of the council
 the following letter:

S I R,

"As I understand that the reason of my confine-
 "ment was the mere supposition that it was for want of
 "respect to the council, I did not attend; and that I re-
 "fused

“fused to answer to the questions you made, I am ready,
 “Sir, to give to you and to the council now that I am
 “better informed with the nature of the question, all the
 “satisfaction necessary as soon as you will think it pro-
 “per.”

I have the honour to be, &c.

this second of December, 1767.

CAZAUD de ROUMILLAC.

This letter being in French, he was told he must write in English, upon which he caused the letter to be translated into English, signed and sent it; then he was told that he must prefer a petition to the council-board relative to the cause of his commitment, as expressed in the warrant; accordingly, he signed one to the same purpose, with this addition only, that if his submission was not sufficient he desired they would draw up one for him, for as he was in the same goal with the run-away negroes and malefactors of every class, kept close in a small room, where there were several prisoners, one of whom was in irons, he was in hopes that the danger in which he was, in so unwholesome a place, by the offensive smell, would be immediately taken into consideration and that they would as soon as possible give orders for his enlargement.

On the 4th of December, Mr. Cazaud received the following note: “The committee having taken into consideration the petition of Mr. Cazaud de Roumillac, are of opinion, that the submission contained in the said petition is in no wise satisfactory to the board for the offence committed by him, but agreeably to the desire of his petition have pointed out what they think sufficient to vindicate the honour and dignity of the council.”

Council-chamber, St. George's, Dec. 4. 1767.

By command, JOHN SOMERVILLE.

Deputy clerk of the council.”

“The committee are of opinion that Mr. Cazaud de
 “Roumillac do express the deepest concern for having so
 “justly incurred the displeasure of his majesty's council,
 “by not complying with their summons, and by refusing
 “to answer any questions put to him by them.”

“They

“ They are likewise of opinion that he ought to express his fixed resolution to be always ready in time coming to shew that respect which is due to the dignity and authority of that board.”

“ And they are further of opinion that he ought to express the sense he entertains of the *justice and moderation* of the council from the nature of their warrant for his commitment as by that warrant he would be immediately liberated on making a proper submission and praying that in consideration of this his submission, we would be pleased to order that he should be released from his confinement.” N. B. No pleading ignorance of laws : This to be made public to prevent such contempts from others.”

Mr. Cazaud then signed a petition drawn word for word from the above minutes which had been sent him by the council, he added only that his life being in danger *in a place where he was obliged continually to burn tobacco and paper and to sprinkle vinegar*, he begged of them to order him quickly to be set at liberty.

Soon after sending this petition, he was visited by a doctor, who told Mr. Cazaud, that the council had sent him to see him, to inquire how he did; the doctor felt his pulse and told him he was not ill, but if he should be so he would give him some physic; he ordered a window to be opened and went away: about an hour after Mr. Cazaud received the following note.

“ The committee of the council having from sentiments of *humanity* continued to sit till ten o'clock at night, to allow the petitioner an opportunity to obtain his release from confinement and having just reason to expect that the prayer of his petition would have been founded solely upon his *just sense of the greatness of his offence* is much surprised that it is chiefly grounded on the allegation *that he finds his life in imminent danger*, which from a declaration on oath by William Beatty, Esq. deputy provost marshal of this island, in whose custody the petitioner is, and this committee having the greatest reason to suspect that the said allegation is false, and having thought it proper to send doctor Robert Hamilton, a gentleman eminent for his integrity as well as his knowledge in his profession of physic, in

“ order to examine the state of the petitioner’s health;
 “ and to report the same to this committee and having
 “ declared upon oath that to the best of his skill and
 “ judgement the petitioner had not any real disease and
 “ that his life was in no danger.”

“ This committee are therefore of opinion, that that
 “ part of the grounds of his petition is untrue and inad-
 “ missible.”

By command,
 St. George’s, John Somerville,
 December 4, 1767. Deputy clerk of the council.

The next day, being the fifth of December, Mr. Cazaud signed and sent a petition drawn word for word according to the above form after which Mr. Cazaud was ordered to attend the council, where he was desired to sign in French what he had signed in English; which he did and which was printed in the next Gazette; and he was then told that he was at liberty; but, before he went away, he was served with the following writing:

Sir,

Council-chamber.

“ Y O U are hereby summoned and required to give
 “ your attendance on the committee of his majesty’s
 “ council, on Tuesday next, the eighth instant, at ten
 “ o’clock in the forenoon, at the court house, in the town
 “ of St. George’s; and hereof fail not at your peril. This
 “ fifth day of December, in the eighth year of his ma-
 “ jesty’s reign.”

To Mr. Cazaud de Roumillac, By command,
 to be served by the provost marshal John Somerville,
 shall or his deputy. Deputy clerk of the council.

As the council had obliged Mr. Cazaud to acknowledge that there was great moderation in the above warrant for his commitment, as he had been appointed by the new adopted subjects of Grenada, and the Grenadines, to come to England in order to represent here a state of their grievances*, Mr. Cazaud did not appear but set off for England

* As Sir F. Laurent, who had acted in that capacity, was about to return to the island.

MEMORIAL.

GRENADA. *To his Excellency R-----T M-----,*

Esq. captain general, and governor in chief of the southern Caribbee islands of Grenada, the Grenadines, Dominico, St. Vincent and Tobago, in America, and of all other islands, territories and places adjacent thereto; and which are, or heretofore have been, dependent thereupon; chancellor, ordinary and vice-admiral of the same, and major-general of his majesty's forces in the West-Indies; and to the honourable the members of his majesty's council of Grenada and the Grenadines.

The humble Memorial of his Majesty's most faithful, loyal, and obedient Subjects, *born under his Allegiance* and resident in the said island of Grenada.

Sheweth,

THAT your memorialists, being justly alarmed at a late dangerous and unprecedented attempt by his majesty's *French-born* subjects, to overturn the constitution of the colony as established by the king's commission under the great seal of Great Britain, and the instructions under his royal sign manual to your EXCELLENCY, and to intrude themselves into the legislature and into offices and places of trust and confidence; humbly implore the assistance of your Honours and your Excellency to defeat a design pregnant with such dangerous consequences as well to the public as to our present and future private interests.

The privileges now aimed at, the wisdom of our laws has thought proper, and the experience of past times has made necessary to withhold, from *natural-born* subjects of the same persuasion, whose loyalty to their sovereign and affections to their country, have of late been in no instance questioned; --we therefore apprehend they cannot be allowed to a people whom the fortune of war only made British subjects, and whose dispositions, habits and connections with

*those who were lately our declared enemies, render them very unfit objects to enjoy a preference over natural-born subjects, of the same religious principles: ** yet with equal surprize and concern have we heard, that what was aimed at by the attempt lately made here, is earnestly solicited for, and it is confidently said, will speedily be effected at home.

And we have the more reason to be alarmed at the intentions and designs of these people, as they have had the confidence to deny, by a formal protest in writing, the authority of laws made by the consent of their own representatives, and the power of the legislature established by the king's commission and instructions to make acts to bind them. †--Principles of so dangerous a tendency, and so subversive of our *excellent constitution*, that we stand amazed at the boldness of those, who could thus openly avow them.

As we have the most perfect confidence in and reliance on the wisdom, integrity, and favourable disposition of your EXCELLENCY, founded in the experience of your disinterested zeal and unceasing application to promote the happiness of the people of your government;--as we cannot but gratefully remember the prudence and moderation which have appeared in the proceedings of the council, particularly before the completion of our legislature, and are well acquainted with your HONOURS attachment to the true interest of this country;--we trust that the duty your EXCELLENCY owes to your royal master, your zeal for his service, and attachment and affection to the crown and nation;--what your HONOURS owe to yourselves, to your country, and to posterity, will induce you to co-operate with zeal and unanimity to avert the dangers with which this colony is threatened, and which must be the inevitable consequence of success in this bold undertaking.

And we humbly pray your excellency and your honours, to take all such speedy measures, as will be most like-

* Is this language calculated to incorporate the old and new subjects? Is it not on the contrary calculated to alienate their affections, and create irreconcilable distinctions?

† See the Protest itself, No. 5, of this Appendix,

ly to conduce to that end, and as your superior judgments shall seem best.

And your memorialists, as in duty bound, shall ever pray, &c. &c. &c.

No. VII.

Copy of C——n G——n's letter a member of the council, to the officers of the 70th regiment, at Fort-Royal.

Gentlemen,

I HAVE as commanding officer assembled you here on a subject, in which I think no British man and protestant, who is really attached to his king and country can be unconcerned, much less *military officers*, whose greatest duty it is to shew on every occasion, zeal, spirit, and steadiness for the support of his majesty's government, our happy constitution, and the protestant interest; it is on these principles, and hopes of meeting the same in you; that I now communicate to you a petition or memorial to his majesty's governor in chief and *council*, representing the great danger to which, the constitution of the colony, and the protestant religion, in it are exposed; unless the late open and daring attempts of the French Roman catholics, to force themselves in a manner into the legislature by the methods they are pursuing both here and secretly in England, to obtain such unconstitutional privilege together with the possession of public offices and trust, unless such attempt be speedily opposed and effectually prevented. This petition is already signed by all the protestants who have seen it, and will, I believe by all others, who are not under particular views and influence of French connections. The gentlemen who have thought it their duty to form and promote this petition have begged of me to lay it before you, as I now do for your joint signature and hearty concurrence; I should immediately first sign it, but as it is addressed to the governor and *council*, of which *council* I have the honour to be a member, it would be improper. But I hereby declare

clare openly that I will not be wanting in my best exertions on this occasion. If any of you are desirous of further information about this affair, I am ready to give it you.

(Signed)

P. G——n, captain,
commanding the 70th regiment.

Note. Neither officer nor soldiers would sign the petition mentioned in the above letter.

No. VIII.

Copy of the address of the grand inquest of the colony, to his Excellency Robert Melvill, Esq. Governor in chief of the southern Caribbee Islands.

Grenada, March 10, 1768.

To his excellency Robert Melvill, Esq; Captain General and Governor in Chief, &c. &c. &c.

May it please your excellency,

WE the grand jury sworn to inquire into, and present all abuses, grievances, and violences, which tend to injure, or oppress the people, do, *at this critical conjuncture, in the extremity of distress, while our legal representatives stand prorogued,* think it our duty, *unanimously to address* you, Sir, as the representative of our sovereign, to whom the care and protection of his liege subjects are committed, to maintain to them the free exercise of British rights, immunities, and the due execution of the laws, and to represent certain grievances and dangers against which the justices in their sessions have not nor ought to have a power of granting relief. In as much as it appears to us, that the security of the lives and properties of the inhabitants greatly depends upon the immediate interposition of the legislature, we therefore do recommend, and earnestly solicit your excellency forthwith to summon and call together the council and assembly; in order to remove, with all possible dispatch, and ease the impending danger, arising from the imperfect
passive

passive measures hitherto pursued for the suppression of rebellious slaves.

We further beg leave earnestly to represent to your excellency, that the earliest and most effectual measures become indispensibly necessary to be pursued, to procure peace, harmony, and unanimity as well between the several branches of the legislature, as between individuals in the colony, already distracted and torn to pieces by the violence of party and faction, invidious distinctions, unjust, ungenerous, and inflammatory resolutions *.

Signed,

A. Midleton,

D. Purveance,

A. J. Alexander,

R. W. Cormick,

R. Young,

H. Scott,

J. Grant,

J. Stuart,

W. Dent,

W. Howard,

C. Marvade,

W. Mackintosh,

J. Griffin,

T. Craddock,

P. Toxin,

J. Paschin,

* At this time, the council took advantage of the prorogation of the assembly to publish many illiberal animadversions against the members of the assembly, which they therefore could have no opportunity of answering.

No.

Number. IX.

A List of the Members chosen Representatives to serve in the Assemblies of GRENADA.

The First Assembly met on the 15th of April, 1766. and dissolved by Proclamation and beat of Drum, the Twenty-second of May following.

The second Assembly, met on the Fifteenth of October, 1766. determined by the limitation of the Ordinance, on the 14th of October, 1767.

The third assembly met the 15th of December, 1767. was prorogued from the 24th of December till the 12th of March by beat of Drum, from the 24th of March to the 25th of May, and from the 15th of May to the 25th of August, a few days thereafter they were determined in common with all the other Assemblies in the Government by Order from Home.

The Present Assembly, met on the Sixteenth day of February, 1769. and continue with moderation and Property, to do the Public Business of the Colony, &c.

		Members 1.		Members 2.		Ceased to be Memb.		Succeeded by		Served.		Members 3.		Served.		Members 4.		Served.		Age.		Place of Nativity.		Qualifications.		Ceased to be memb.		Succeeded by.			
Town of St. Georges.	James Mackintosh,	James Mackintosh,	James Mackintosh,	Departed for England.	† Alexander Middleton,	2.	Alexander Middleton,	2.	James Mackintosh,	3.	James Mackintosh,	3.	36.	Scotland,	Landed Estate.																
	John Piggott,	† John Piggott,	† John Piggott,			2.	John Piggott,	3.	Isaac M. Beatty,	1.	Isaac M. Beatty,	1.	23.	Ireland,	Ditto.																
Parish of St. George's.	Thomas Williams,	Torquil Mac Vicar,	Torquil Mac Vicar,			1.	Torquil Mac Vicar,	2.	Torquil Mac Vicar,	3.	Torquil Mac Vicar,	3.	40.	Scotland,	Ditto.																
	Thomas Lucas,	† John Melvill,	† John Melvill,			1.	William Ormondy.	1.	Charles Harries,	1.	Charles Harries,	1.	50.	Scotland,	Ditto.																
Parish of St. David.	Robert Young,	Robert Young,	Robert Young,			2.	Robert Young,	3.	Robert Young,	3.	Robert Young,	3.	28.	Scotland,	Landed Estate.																
	John Dumarique,	John Dumarique,	John Dumarique,			2.	John Dumarique,	3.	John Dumarique,	4.	John Dumarique,	4.	35.	Jersey,	Ditto.																
Parish of St. Andrew's.	Alexander Winniett,	Major William Young,	Major William Young,	Refigned on being	• Thomas Shepherd,	1.	Alexander John Alexander,	1.	Col. Johnstone,	1.	Col. Johnstone,	1.	40.	Scotland,	Ditto.																
	Alexander John Alexander,	James Pomier,	James Pomier,	Disgusted.	† Thomas Williams,	1.	William Mackintosh,	2.	Alexander John Alexander,	2.	William Mackintosh,	2.	27.	England,	Ditto.																
Parish of St. Patrick's.	John Nelson,	William Mackintosh,	William Mackintosh,		John Bouryau,	2.	William Mackintosh,	3.	William Mackintosh,	3.	William Mackintosh,	3.	31.	Scotland,	Ditto.																
	George L. Staunton,	• John Nelson,	• John Nelson,			1.	Alexander Winniett,	2.	Alexander Winniett,	2.	Alexander Winniett,	2.	38.	North-America,	Ditto.																
Parish of St. Mark's.	Michael Scott,	• Alexander Campbell,	• Alexander Campbell,	Departed for England.	• Charles Wilfon,	1.	John Bouryau,	1.	John Bouryau,	2.	John Bouryau,	2.	30.	Scotland,	Ditto.																
	L. McLeane,	• Peter Gordon,	• Peter Gordon,	Called up to the	• Thomas Baillie,	1.	Michael Scott,	1.	Michael Scott,	2.	Michael Scott,	2.	31.	Ireland,	Ditto.																
Parish of St. John's.	Andrew Irwin,	• John Harvey,	• John Harvey,	Council.	• Mungo Campbell,	1.	John Aitcheson,	1.	John Aitcheson,	2.	John Aitcheson,	2.	30.	Ireland,	Ditto.																
	Roger Smith,	Andrew Irwin,	Andrew Irwin,			2.	Andrew Irwin,	3.	Andrew Irwin,	3.	Andrew Irwin,	3.	36.	Prot. Adop. Subject	Ditto.																
Island of Carriacou.	John Colby,	• Ninian Home,	• Ninian Home,			1.	Thomas Proudfoot,	1.	Thomas Proudfoot,	1.	Thomas Proudfoot,	1.	36.	St. Christopher's,	Landed Estate.																
	Oliver Mac Caufland,	Samuel Sandbach,	Samuel Sandbach,			1.	R. W. Cormick,	1.	R. W. Cormick,	1.	R. W. Cormick,	1.	26.	Ireland,	Ditto.																
	Charles Portales,	• Walter Robertson,	• Walter Robertson,	Appointed Treas-	• John Nethercott,	1.	Peter Nougés,	1.	Peter Nougés,	1.	Peter Nougés,	1.	32.	Nevis,	Ditto.																
	Robert Glasford,	† James Taylor,	† James Taylor,	furer.		1.	Charles Portales,	2.	Charles Portales,	2.	Charles Portales,	2.	30.	Ireland,	Landed Estate.																
	Gilbert Robertson,	Robert Glasford,	Robert Glasford,			2.	Major Young,	2.	Major Young,	2.	Major Young,	2.	38.	Scotland,	Ditto.																
	William Reid,	Gilbert Robertson,	Gilbert Robertson,			2.	Mr. Fouquet,	1.	Mr. Fouquet,	1.	Mr. Fouquet,	1.	33.	England,	Ditto.																
		William Reid,	William Reid,	Died.	† William Bartlet,	2.	Hugh Munro,	1.	Hugh Munro,	1.	Hugh Munro,	1.	28.	Scotland,	Ditto.																
21 Members.		21				21																									

STATE of the VOTES at a Meeting of Proprietors and Others at the King's Arms Tavern, the 21st of December, on a Question, That Application be made to restore John Graham, William Lindow, Frederick Corfar, Thomas Townsend, John Melvill, and Thomas Williams, lately suspended from the Council of Grenada.

At a Meeting of Proprietors and other Persons interested in Lands in the Island of Grenada, at the King's Arms Tavern, the 21st of December 1769, after the Report of the Committee was approved, a Motion was made by Mr. Dalrymple, and seconded by Mr. Mafon, that Application be made to the King's Ministers to reinstate the Members of the Council lately suspended by Lieutenant-Governor Fitzmaurice, if the Lieutenant-Governor does not clearly justify the Suspension; on putting the Question, the Gentlemen present divided, and the Votes stood thus.

Sir GEORGE COLEBROOKE in the Chair.

For the Question.

Value of Landed Properties
able to the Original Purchases

Against the Question.

Value of Original Purchases.

* 1 Mr. Mafon, —	{ Agent for, and the Security of Mr. Graham, one of the suspended Members; having neither Property nor Money lent in the Island.	
* 2 Mr. Laughnan, —	{ A Madeira Merchant, without Property or Interest in the Colony, but he is Brother-in-Law to Mr. Corfar, one of the suspended Members.	
* 3 Mr. Dalrymple, —	{ Without either Property or Interest in the Colony.	
* 4 Mr. Sills, —	{ Only the Executor of the last Will of Mr. Bouryau, late a Proprietor.	
* 1 Mr. Ellis, —	{ Attornies of Mr. Robert Udney a Proprietor, and as his Partners in Trade, Agents for Mr. Maxwell, who withdrew from the Council on the late Suspension; otherwise unconnected therein.	
* 2 Mr. James, —	{ Mortgagees for Consignments, and upon an advanced Interest, except Mr. Payne, who is a Trustee to secure the Payment of a Debt; Mr. Maitland is the Agent appointed by the suspended Counsellors to solicit their Restoration.	
* 1 Mr. Douglas,		
* 2 Mr. G. Johnston,		
* 3 Mr. Payne,		
* 4 Mr. Maitland,		
* 1 Mr. Mill, —	{ Proprietors in Carriacou, one of the Grenadines, where the Distractions in Grenada are not felt,	15000
* 2 Mr. Tod, —	{ In Possession of 30 Quarrés of Land in Right of a young Man who died in their Debt; the Partners of Mr. Bogle senr. in Trade, and related to the suspended President Mr. Graham,	2000
* 3 Mr. Bogle junr,		
* 4 Mr. R. Scott,		
* 5 Mr. Turner,	{ A Proprietor in one of the Grenadines only, and the Bosom Friend and Companion of some of the suspended Members; also a violent Oppressor of the new Subjects, even to a Degree of declaring in Council a Disposition to <i>dispenſe with the Law</i> in order to rob them of their undoubted Rights,	1000
* 1 Mr. Bogle senr.	{ Nearly related to the suspended Member Mr. Graham,	32000
* 2 Mr. Taylor,	{ Partner of the suspended Member Mr. Townsend,	21000
* 3 + Mr. Campbell,	{ Three of the Petitioners against the new Subjects voting at Elections, and their continual Oppressors, without a Shadow of Reason or Justice to vindicate their cruel and malevolent Measures, but the Preference which the new Subjects inclined to give to other Persons to represent them in the Legislature of the Colony,	43000
* 4 Mr. Home, }		50000
* 5 Mr. Harvey, }		
* 1 Mr. Trevanion,		32000
* 2 Mr. Davidson,		21000
* 3 Mr. Luard,	{ Grenada Proprietors unconnected with either the Lieutenant-Governor or the suspended Council,	50000
* 4 Mr. Rucker,		130000
* 5 Sir James Cockburne,		30000

Real Proprietors in Grenada unconnected with either the Lieutenant Governor or the suspended Members,

1 Sir Charles Bunbury,	217000
2 Mr. Pultney,	38000
3 Mr. Simond,	
4 Mr. Ridge,	46000
5 Mr. Orme,	
6 Mr. Snell,	82000
7 Mr. Townson,	
8 Mr. Proudfoot,	104000
9 Mr. Hankey,	
10 Mr. Michael Scott,	88000
11 Mr. J. Johnstone,	
12 Colonel Johnstone,	
13 Mr. M'Intosh,	27000
14 Major Young,	16000
15 Mr. Bliffon,	10000
16 Mr. Thornton,	25000
17 Mr. Howard,	3000
18 Mr. Fearon,	

Difference in Point of Property
against the Majority in Number

£. 656000

£. 656000

AGAINST THE QUESTION—18 Real Proprietors in Grenada, unconnected with the Lieutenant-Governor or the suspended Members.

FOR THE QUESTION—* 4 Persons without any real Interest in the Colony, and in Part connected with the suspended Members — * 2 Acting as the Attornies for an absent Proprietor, and connected with one of the Members of the Council — * 4 Mortgagees for Consignments — * 5 Proprietors in the Grenadines only, and in Part connected with the suspended Member — * 5 Grenada Proprietors interested with the suspended Members, or engaged in the same Cause with them — and * 5 Real Proprietors in Grenada, unconnected with either Lieutenant-Governor or the Council; and all incompetent Judges of the Propriety or Impropriety of a Suspension, related only by the partial Voices of the Parties themselves.

+ This Gentleman farms the Office of Provost Marshal, whose Fees are excessive. The Six suspended Counsellors rejected the Bill for regulating the Fees of public Offices.

No XI.

Extract of letter from a gentleman of G—a—a now in London, to his partner in the country, wherein the conduct and vanity of R—d M—tl—d Esq. are exhibited.

London, the 10th of December, 1769.

SIR,

YOUR uneasiness at the paragraphs and publications in the daily papers is very natural, and not altogether groundless. The intended return of G—r M—ll to the government has produced disturbances both here, and in the colony; his colony friends jealous of the tranquility which reigned there, since his departure, and conscious that his intriguing disposition, and the general aversion of the inhabitants towards him, would very soon after his arrival, revive those unhappy divisions, which had uninterruptedly prevailed during his residence in the colony, were determined that the odium of the approaching disturbances should not fall upon him, and therefore they forced the lieutenant governor to suspend six members of the council; his friends in England represent the proceedings of the lieutenant governor as arbitrary and illegal, and under this disguise practise all their invention and art to procure the governor's return *to restore peace.*

This partiality and disgust, of a dismissed agent, who has continually acted in opposition to the true interest of the colony, and treacherously betrayed his trust, has contributed greatly to the late commotion here, and it is a pity that colony assemblies are not more cautious in chusing for their *agents*, persons immediately interested in the colonies, and totally unconnected with the governors.

By the artifice, intrigue, and partial favor, of governor M—ll, in return for past, and in expectation of future services, R—d M—tl—d, Esq. a merchant in London, was by a law of the colony ap-

* E

appointed

pointed agent to negotiate the affairs thereof to the departments of state in Britain, for one year only; but to continue to act after the expiration of that year untill a new agent should be appointed, and the appointment signified by the president of the council and speaker of the assembly jointly under their hands: by the same law he is expressly restrained, not to pay any regard to, nor observe any orders or directions relative to the passing of any law, but such as shall be jointly authenticated by the commander in chief, president of the council, and speaker of the assembly, or from a committee of correspondence, consisting of three members of the council, and five members of the assembly: nor observe any other order, or pay regard to any remonstrance, or complaint of any grievance, except such as shall come to him under the hand of the speaker for the time being, by and with the advice and consent of the assembly or the said committee of correspondence; nor observe or take notice of any minutes of the council or assembly, as copied out of their books, unless signed by the president or speaker, and attested by the clerks of the board respectively: and in consideration of the pains, trouble, and care, of duly observing and executing the several orders and directions prescribed in the law, the agent shall have and receive at the rate of 200*l*. sterling per annum during his continuance in that pointment, together with all the charges and expences incident thereto.

As this agent was appointed by the artifice and influence of G——r M——ll and his friends, and by the particular and extraordinary recommendation of the members of the council, it would have been in vain for the assembly to endeavour to obtain the consent of the council to a new nomination; and altho' they had no occasion for his services, and his salary became an unnecessary tax on an infant colony, they were obliged to submit patiently untill his own officious conduct and partiality, opened a channel of relief on the following occasion.

The inhabitants of Dominica having groaned under the difficulties and inconveniencies arising from the want of a complete legislature, the dangers, losses, expence,

pences, and delays of justice, resulting from their being on many occasions obliged to send to the chief governor in G—n—a, and the destructive consequences naturally attendant on party rage and faction in any country, more especially in an infant colony, where the utmost efforts and industry, application, and friendly intercourses between the inhabitants, become indispensibly necessary for the speedy and effectual improvement and cultivation thereof: memorials were therefore presented for a separation of the government of that distant island, from the government of G—n—a, a measure not less desirable (for many very obvious and sound reasons) to the inhabitants of G—a. It was nevertheless agreed to by Mr. M—ll—a, to interpose his influence as the agent of G—a to prevent the measure, because by dismembering the government, it would be clipping the wings of his patron, governor M—ll; and confiding in the same favor and influence which had appointed him, without any order, direction, or instruction, to that purpose, from either council or assembly, he exerted his powers in his capacity of agent for G—a, in direct opposition to the true interest of that island, and in direct violation of the law by which he was appointed: and vainly believing that the eyes of the members of the assembly, were to be as easily blinded, as he boasts of having found those of the board of trade, the treasury, Sir G—e C—e, and other principal proprietors of Dominica to be, * he triumphantly transmits the following letter to the president of the council and speaker of the assembly in G—a.

London, the 23d of October, 1767.

S I R,

„ I N consequence of an order from the lords of trade,
 „ I attended their board on the 16th instant, when
 „ several petitions signed by some of the inhabitants
 „ of Dominica, some merchants here in London and
 „ Liverpool were read complaining of their want of a
 „ legislature; and the hardships their trade laboured

* Meaning Sir J. C — kb — n, and Mr. S — t of Buckingham-Street.

" under by being obliged to apply to G — a upon many
 " occasions, and praying a separate government. I had re-
 " ceived no instruction from you on this head, yet as your
 " agent, I thought it my duty to appear against any plan
 " to dismember the government; I carried with me Sir George
 " Colebrooke, and some other of the principal proprietors here;
 " I made it appear plain, that all the complaints could be
 " remedied without making it a separate government: upon
 " which Sir George Colebrook, and all the other proprietors
 " present declared their opinion unanimously against the separa-
 " tion, notwithstanding they had signed the petition for it.
 " It seems the projectors of this scheme proposed to bear
 " the additional expence themselves (I mean by raising the
 " money by a tax.) This made Sir George declare so strong-
 " ly against it. The board were as strongly prepos-
 " sessed in favour of the plan, but were much stag-
 " gered at what I said against it; and I am now in
 " doubt, whether they will report in favor of the
 " separation, as was given out to be certain."

" You no doubt know there is a board of customs ap-
 " pointed for North America, the commissioners are to
 " reside in Boston; when the instructions for the board
 " were making out, the lords of the treasury sent notice
 " to Mr. Long and myself, (who generally attend the mi-
 " nistry on West India business,) to attend the board,
 " and give our opinion, whether it would be con-
 " venient or not to have our West India Collectors
 " under the direction of the North American board. The in-
 " tention of the act was so, and the inclination of the com-
 " missioners of the customs here, (wanting to ease them-
 " selves of so much trouble) was so likewise. Mr. Long and
 " myself painted the inconveniencies in so strong a light,
 " that I find an order from the treasury to the commissioners
 " here, to manage all matters relating to us as usual: The plan-
 " ters and merchants here, approved of our conduct in this
 " matter, and I hope my behaviour in this, as well as the Do-
 " minica affairs, will meet with your approbation. I have
 " the honor to be with great regard,

Gentlemen,

Your most obedient, faithful humble servant,

(Signed)

R—d M—tl—d.

Directed

To the honourable the president and speaker of
 the assembly of G — a. The

The assembly justly considering his conduct, as a violation of the law, and contrary to the true interest of the colony, which he assumed to represent, ordered the letter to be inserted on their journals to bear testimony against him, and to justify the resolution which they entered into some time after, to consider him no longer as their agent, and ordered their speaker to communicate that resolution to him; yet, notwithstanding these proceedings, he still pretends to act as the agent, and I fear with greater partiality than heretofore; a recent instance of his *partiality, officiousness, and vanity*, has I am informed presented itself at the last meeting of the G—a proprietors, at the half moon tavern in Cheapside, where he affected to appear *as the agent of G—a* to procure a redress of grievances, without having authority from either council or assembly, or a committee from either or both houses; for surely he could not pretend, that the letter he had from the suspended members of the council, authorized him in the terms the law prescribes, and they certainly did not, before their suspension, authorize him; otherwise it must have appeared upon their minutes published by their authority.

Extract from the journal of the general assembly of Grenada and the Grenadines.

Saturday, the 27th day of August 1788.

Mr. M^r Vicar then moved, and was seconded by Major Young, that the house do resolve, that the speaker do signify by the first opportunity to the present agent that he is no longer to act in that capacity; and that the same may be notified to the honourable the council, and their concurrence required thereto; which was opposed by Mr. Piggott, and seconded by Mr. Middleton; and the question being put, the house divided.

A Y E S.

A Y E S.

N O E S.

Mr. Alexander,
Major Young,
Mr. Robert Young,
Mr. Cormick,
Mr. M^r Vicar,
Mr. Portales,
Mr. Fuquet,
Mr. Ormandy,
Mr. Nogues, and
Mr. Mackintosh.

Mr. Alexander Midleton,
M^r. John Piggott,

Resolved, that the speaker do signify by the first opportunity to the present agent, that he is no longer to act in that capacity; and that the same may be notified to the honourable the council, and their concurrence required thereto.

No. XII.

Extract from the minutes of the council, of the 11th and 15th of January, 1768.

At a Meeting of the council on Monday the Eleventh day of January, 1768.

P R E S E N T.

The Honourable

James Brebner,
Robert Turner,
John Graham,
Patrick Maxwell,
William Lindow,

Frederick Corfar,
Valentine Morris Horne,
Peter Gordon,
and
John Harvey, Esqrs.

THE Honourable Robert Turner, Esq. Chairman of the committee of the council appointed the 4th instant, to take into consideration "The present unhappy

happ state of this island, and to report their opinion of the most effectual means of quieting the heats and distractions at present subsisting therein," made the following report :

That your committee having taken into their consideration the present state of this island, referred to them by a resolution of the council on the 4th instant, by which they were desired to report their opinion of the most effectual means of quieting the heats and distractions at present subsisting therein, have made some progress in that matter, and will soon be able to make a full report thereon ; In the mean time, as the meeting of the assembly, by the last adjournment, is to take place on the 13th instant, your committee think it their duty, previously to report to the board, as their opinion, that the late proceedings of the assembly, so far from allaying the heats and distractions which have arisen, have manifestly tended to inflame and increase them to a very great degree. Your committee are therefore of opinion, that were they permitted to meet again in the same temper and disposition, they have reason to apprehend, that these animosities might be raised to such a height as to endanger the peace and happiness of the colony.

Your committee therefore propose, that this board should advise his excellency to prorogue the assembly, for such time as he, in his prudence, shall think fit, or untill his majesty's pleasure shall be known ; as there is reason to think that some farther wise and necessary arrangements, with respect to our legislature, may be expected, under the royal authority.

Resolved, unanimously, That the said report be approved, and that Mr. Turner do acquaint his excellency the general therewith.

Resolved, unanimously, That the said committee do continue to meet as often as conveniency will permit ; and that they do proceed further on the matters referred to their consideration, and to make their report to this board accordingly.

FRIDAY

FRIDAY the Fifteenth of JANUARY, 1768.

P R E S E N T.

The Honourable

Robert Turner,		Frederick Corfar,
John Graham,		Valentine Morris Horne,
Patrick Maxwell,		Peter Gordon, and
William Lindow,		John Harvey,

Esquires.

THE minutes of the 11th instant being read and approved, the honourable Rob. Turner, Esq. chairman of the committee appointed the 4th instant, to take into consideration "The present unhappy state of this island, and to report their opinion of the most effectual means of quieting the heats and distractions at present subsisting therein," acquainted the board, That since their previous report, of the 11th instant, they had proceeded to, and finished the consideration of the matters referred to them, and laid the following further report before the board :

That it is the opinion of your committee, that his majesty's natural-born subjects of this colony, have the greatest reason to be alarmed at the late attempt made by a number of his majesty's new-adopted Roman Catholic subjects, to intrude and force themselves into the legislature, and consequently into offices and places of trust, in opposition to the laws of Great-Britain, and to an express act of the legislature of this colony, ; which attempt we cannot but consider to be not only most undutiful to his majesty, (as being in direct contradiction to his royal commission and instructions, under which authority alone that legislature is constituted) but likewise evidently dangerous to the safety of these islands.

That it appears to your committee that the present assembly, chosen almost entirely by the said new-adopted Roman Catholic subjects, seems to have encouraged them in this audacious attempt, as appears by their sending

ing to prison one of the judges of the court of common-pleas for these islands, (who acted as returning officer for the town of St. George) for refusing to confess at the bar of their house, "That he had been guilty of a breach of their privilege, in refusing, in an illegal and unconstitutional manner, to admit as a candidate for the said town, Jean Baptiste Demonchy (who was known by the returning-officer to be a professed Roman-Catholick) and for refusing to acknowledge and ask pardon for his fault;" although it appears to your committee, that the said returning-officer acted agreeable to an act of the said islands, and conformable to the advice of his majesty's attorney-general, whose opinion of the true construction of the said act he had the precaution to take; and likewise, by committing to prison Mr. Nethercott, one of the magistrates of this island, for refusing to confess at the bar of their house, "That he had been guilty of a breach of the privilege of their house, by his illegal and disorderly behaviour at the said election, and to ask pardon for his fault;" although it appears to your committee, that the said magistrate acted as became his station, in committing to the custody of a constable, one Mr. Cazaud, who was no freeholder of the town of St. George, and who was disturbing the freedom of the said election; which proceedings of the house of assembly, appear to your committee to be fatal to the properties and liberty of his majesty's subjects, as it is evident what dreadful consequences must arise from any one branch of the legislature of these colonies arbitrarily assuming to themselves the power of committing to prison judges and magistrates, though acting, to the best of their judgment, agreeable to the laws of Great-Britain, and the acts of the legislature of this colony; or from either branch of the legislature creating, by votes or declarations, privileges to themselves, not warranted by the constitution or laws of these island.

Your committee cannot likewise but represent the very extraordinary proceedings of the house of assembly, with respect to a very dutiful address, signed by far the greatest part of his majesty's natural-born subjects of this island, and presented to his excellency,

and the board at a time, that no assembly existed ; setting forth, their just alarm at the late attempt of the new adopted Roman Catholick subjects, to intrude and force themselves into the legislature, &c. and likewise setting forth their bold presumption, in delivering a paper, called a Protest, wherein they deny the authority of laws, made with the consent of their own representatives, and the power of legislature established by the king's commission and instructions, to make acts to bind them, and praying his excellency and the board, to take such measures to defeat the said attempt, as to his excellency and the board should seem meet.

Your committee cannot but consider the right of petitioning the crown, or the crown's representatives, or any branch of the legislature, as the inherent and indubitable privilege of every British subject.

Yet the assembly, from the nature of a message sent to his excellency, requiring a copy of the said address, and from the proceedings of their committee of grievances thereupon, seemed to have viewed this transaction in a criminal light.

For it appears to your committee, that the committee of grievances of the said assembly did summon before them a number of the said petitioners, where they were examined in a manner that induced them to believe that they had incurred the disapprobation, and were become objects of the displeasure of the said house of assembly, to the great uneasiness and disquiet of the said petitioners ;

Which proceedings are manifestly subversive of the necessary, inherent, and legal rights of every British subject, as established by the bill of rights.

Resolved, unanimously, That the said report be approved.

The board having duly considered the matter of the said report, came to the following resolutions :

Resolved, unanimously, That the late attempts of his majesty's new-adopted Roman Catholic subjects of this island, to intrude themselves into the legislature, is a manifest violation of the laws of Great-Britain, and of the constitution and laws of this colony.

Resolved,

Resolved, unanimously, That neither branch of the legislature have power, by vote or resolution, to create to themselves privileges not warranted by the constitution and laws of these islands.

Resolved, unanimously, That either branch of the legislature committing to prison any of his majesty's subjects, upon privileges created to themselves, by vote or resolution, not warrantad by the constitution and known laws of these islands, is subjecting his majesty's subjects, and the freedom of their persons, to most arbitrary determinations, highly destructive of their liberties.

Resolved, unanimously, That it is the inherent right of every British subject, humbly to address his majesty, his majesty's representative, or either branch of the legislature, for the redress of grievances, or the prevention of any evils they may be apprehensive of.

Resolved, unanimously, That it is the opinion of this board, that from the unhappy state of this island, on account of the violent animosities subsisting between the old and the new subjects, occasioned by the undutiful and unconstitutional conduct of the latter, and by the late very extraordinary proceedings of the assembly, there is no prospect that any public legislative business will be carried on for the good of these islands, until his majesty's pleasure shall be known on these matters. And we do therefore recommend to his excellency, forthwith to transmit to his majesty a copy of the report of the committee, and of these resolutions.

Resolved unanimously, That the Printer be desired to print the report of the committee and the minutes of the council, as far as relates to this matter, forthwith, and the members of the council will take care to defray the expence thereof.

Grenada. A true copy of the minutes of the Council, of the 11th and 15th days of this instant January, carefully examined and attested this 16th day of January, one thousand seven hundred and sixty eight.

JOHN SOMERVILLE,
Deputy Clerk of the Council,

Extract from the Minutes of the Council, of Monday
the 7th Day of March 1768.

P R E S E N T.

The Honourable

James Brebner,
Robert Turner,
Patrick Maxwell,

Frederick Corfar,
And
John Melvill, Esqrs.

THE minutes of the committee of the council of the twenty-second day of December, 1767, being read, the Hon. Robert Turner, Esq; represented to the board, That although the conduct of several of his majesty's new subjects in this island, in signing and publishing a paper called a Protest, at the election of assembly-men for the town of St. George, on the ninth day of November last, is extremely criminal in the eye of the law; such Protest tending to disturb the peace of the colony, by calling in question the authority of the legislature, and containing false and injurious insinuations against the persons concerned in the government of the island; yet, as it is probable, that these people were betrayed into this unwarrantable proceeding, by their ignorance of our laws and constitution, which some of them have been candid enough to acknowledge; or by the artful insinuations of some turbulent and evil-minded persons: he therefore moved, That this board would apply to his excellency, that he would please to direct the attorney-general to drop the prosecutions which were intended against the persons who signed the said protest, in hopes, that this mark of lenity may induce them to behave, hereafter, with more respect to the legislature and to government.

Which motion was unanimously approved of.

Truly extracted, by order of the Council, this twelfth day of March, 1768.

JOHN SOMERVILLE,

Deputy clerk of the council.

Extract

Extract from the Minutes of the Assembly, on Friday
the 18th March, 1768.

Then Mr. Robert Young moved, and was seconded by Mr. Bourryau, that the house do immediately resolve itself into a committee of the whole house, to take into consideration the minutes of the council of the 11th and 15th of January, and 7th of March, and other matters relating to the privileges of this house.

Then the house resolved itself into a committee of the whole house, and after having spent some time therein, Mr. Speaker resumed the chair, and Mr. Wm M^cIntosh reported from the committee, that after many discussions and debates, they had come to several resolutions, which he was directed to report to the house, when they will be pleased to receive the same.

Ordered, That the report be now received.

Then Mr. Macintosh in his place read the same, and afterwards delivered it in at the table, where it was again read, and is as follows: viz.

1st. Resolved, That it is a false and scandalous aspersion, and a high breach of the privilege of this house, to assert, that the late proceedings of the assembly against Walter Robertson and John Nethercott, Esqrs. tended to inflame and increase the heats and distractions, which have arisen in this island: these heats and distractions, having arisen solely from the council arrogating to themselves, privileges which are unconstitutional, and inconsistent with their office of counsellors, by perpetually interfering in elections, summoning before them voters; there denying them counsel, or even permitting them to speak in their defence; committing one gentleman of considerable property, to the common goal, for refusing to answer them questions concerning his behaviour at an election; binding over several voters to the grand sessions, for matters which happened at an election, and for which they never attempted to prosecute them; it being notorious, that the smallest breach of the peace had not been committed.

2d. Resolved, That it is a malicious aspersion, and a high breach of the privilege of this house, to assert, that the members of the present assembly, have been chosen almost entirely by his majesty's new Roman Catholic sub-

subjects ; and that it is notorious, that the elections were unanimous for the whole members serving in this present assembly, except for the town of St. George, for the parish of St. George, where there were only two dissenting votes, for the parish of St. Andrew, and for the island of Cariouacou, where the members chosen met with very little opposition, and consequently, that there hardly ever was a general election in Great Britain, or in any colony, more unanimous.

3d. Resolved, That it is equally false, and a high breach of the privilege of this house, to assert, that this house has encouraged his majesty's new Roman Catholic subjects, to intrude and force themselves into the legislature, and consequently into places of trust and profit, by committing to goal John Nethercott and Walter Robinson, Esqrs. when it is well known, and the council themselves must be conscious, that they were committed for a contempt, in refusing to submit to the mildest sentence that could possibly be passed upon such offenders, to acknowledge their fault and beg pardon of the house, which mild sentence was passed upon them, purely to maintain the authority of this house, in matters of election, and to prevent returning officers, who are generally members of the council, assuming to themselves, the power of judging of the religion and qualifications of candidates ; the law having already fixed a penalty upon Roman Catholics, or such as are not qualified for offering themselves candidates, and this house having the sole right to judge in these matters.

4th. Resolved, That it is a gross aspersion, and highly indecent for those gentlemen who sat in council the 15th of January, to accuse this house of having created, by votes and declarations, privileges not warranted by the usage of parliament, or the laws of this colony, and subversive of the liberty of the subject. This house having asserted no privilege whatever, but that of being the sole judges in every thing relative to elections, which privilege is confirmed to them by a law of this colony.

5th. Resolved, That it is a high breach of the privilege of this house, for the council to pretend to judge in what light the assembly viewed a memorial presented to his excellency ; and that the council have no right to take cognizance of any transaction of this house until it shall

shall come properly before them; and further, that they have misrepresented the proceedings of the committee of grievances, upon the memorial in question, in the grossest manner.

6th. Resolved, That some of the gentlemen who sat in council the 15th of January, have prostituted the right of the subject to petition, by promoting and encouraging subscriptions to a memorial addressed to themselves, visibly intended to raise jealousies and fears, entirely groundless, to create distinctions between the old and new subjects, and to drive the latter out of the colony, at the same time, complimenting themselves, by casting the most illiberal reflections upon the representatives of the people.

7th. Resolved, That it is illegal and unconstitutional for those gentlemen, to assume to themselves a power of meeting as a part of the legislature, when the assembly stood prorogued, and, by votes and declarations, endeavouring to fix a brand upon the only solid foundation of British liberty, *A free Assembly*; and when that assembly had no opportunity to justify themselves to their sovereign or constituents, by answering such outrageous abuse.

Then Mr. Alexander moved, and was seconded by Mr. M^cVivar, that this house do agree to the above resolutions, which was opposed by Mr. Bourryau, and seconded by Mr. Piggott, and the question being put, the house divided.

A Y E S.

Mr. Proudfoot,
Mr. Macintosh,
Mr. Portales,
Mr. Fuquet,
Mr. Robert Young,
Major Young,
Mr. M^cVicar,
Mr. Alexander, And
Mr. Scott,

N O E S.

Mr. Piggott,
Mr. Bourryau,
Mr. Middleton, And
Mr. Monro.

Resolved, That the above resolutions of the committee be agreed to by the house.

Ordered, That the preceding minutes of this day be forthwith printed in the Gazette, in English and French, with all expedition.

Then Mr. Alexander moved, and was seconded by Mr. Scott, that this house do immediately resolve itself into a committee

committee of the whole house, to consider of and prepare an address to his majesty.

Then the house resolved itself into a committee of the whole house, and having spent some time therein, Mr. Speaker resumed the chair, and Mr. Scott reported from the committee, that they had taken into consideration, an address to his majesty, and prepared one accordingly, which they had directed him to report, when the house will be pleased to receive the same.

Ordered, That the report be now received.

Then Mr. Scott read the same in his place, and afterwards delivered it in at the table, where it was again read, and is as followeth, viz.

To the King's most Excellent Majesty.

The humble Address of the Representatives of the Islands of Grenada and the Grenadines, in General Assembly.

May it please your Majesty,

WE, your majesty's most dutiful, loyal, and faithful subjects, the representatives of the people of your Islands of Grenada and the Grenadines, beg leave, with the greatest humility, to approach your sacred person, to lay before your majesty the distress this colony has, for a considerable time past, laboured under, from the violence and intrigues of your majesty's council.

The concern for the welfare and prosperity of all your majesty's subjects, however remote, which your majesty has demonstrated on so many important occasions, inspires us with the highest confidence of your majesty's protection.

We have always considered, that the different branches of the legislature, ought to be free and independent of each other; and therefore, could not help observing with concern, the strong interposition of the other two branches in elections of members to serve in the general assembly, and the partiality of returning officers, who are always named by the commander in chief.

The assembly, under the necessity of shewing their disapprobation of such measures, and particularly of returning officers assuming to themselves the right of taking

or

or refusing votes at their pleasure, upon a complaint made to them; summoned before them, a returning officer, and after an examination of witnesses three days, when it was fully proved, that he refused their votes for a candidate, and could only give for reason, that he believed him to be a *Roman Catholic*.

The assembly, studious of giving an example of moderation, simply condemned him and a justice of the peace, who, at the same election, had ordered a candidate and his agent into custody, to acknowledge their fault and beg pardon of the house.

This submission, they, in the most obstinate manner, refused to make, upon which they were ordered to the common goal.

The evening following, and when the house of assembly did not stand prorogued, they were taken out by Patrick Maxwell and Robert Turner, Esqrs. members of the council, and assistant judges; and before the assembly could again meet, they were prorogued: notwithstanding this prorogation, the council continued to sit, and considering themselves still in their legislative capacity, published their minutes of the 11th and 15th of January, wherein they passed the most virulent and abusive resolutions concerning the assembly, rested on the grossest misrepresentations of facts.

The assembly, though deeply affected with the indecency of such proceedings on the part of the council, beg leave only to observe, that the grand jury, duly summoned, and consisting entirely of natural-born subjects, and the principal inhabitants of the colony, thought it their indispensable duty, unanimously to address your majesty's governor to call the assembly, which then stood prorogued.

Most gracious Sovereign,

WE are extremely mortified, to find it incumbent on us at present, to acquaint your majesty of the difficulties this colony has already experienced, and is still like to feel, from the obstruction of public business, owing solely to the wanton and caballing spirit of those in power, and their constant attempts to villify and overbear the representatives of your majesty's subjects of this colony.

We forbear enumerating the many instances of artifice and intrigue practised here, founded on authority, and tending only to the gratification of individuals;

• G

convinced

convinced that your royal justice, which has ever been extended to the meanest of your subjects, will assure to this colony, a continuation of your majesty's paternal regard.

(Signed, by Order of the House)

ALEX. WINNIETT, Speaker.

Then Mr. Scott moved, and was seconded by Mr. Alexander, that the said address do pass, which was opposed by Mr. Bourryau, and seconded by Mr. Piggott; and the question being put, the house divided.

A Y E S.

N O E S.

Mr. Proudfoot,
Mr. Macintosh,
Mr. Portales,
Mr. Fouquet,
Mr. Robert Young,
Major Young,
Mr. M^cVicar,
Mr. Alexander, And
Mr. Scott.

Mr. Bourryau,
Mr. Munro,
Mr. Middleton, And
Mr. Piggott.

Resolved, That the said address do pass.

Ordered, That the said address be engrossed, and that Mr. Bourryau and Mr. M^cVicar do wait upon his excellency, and present the same, in order to be transmitted to his majesty's secretary of state.

N.B. The assembly met on the 15th of December, 1767, were adjourned from the 24th of December to January 13, but on the 11th of January, they were prorogued by proclamation and * *beat of drum* to the 12th of March: they met on the 12th of March, and were adjourned from the 19th to the 24th, on which day they were prorogued after the usual manner by *beat of drum*, until the 25th of May, before which day they were again prorogued to the 25th of August; in which time Governor M—ll departed for England. So that the only business the house was allowed to accomplish in ten months, was the proceedings of this day, the 18th of March.

* We presume a military mode of proroguing assemblies, but not practised since the time of Oliver Cromwell.

Extract

Extract of a letter in the Gazetteer, and new daily
Advertiser, October 11, 1768.

THERE is hardly any step which can betray a greater meanness of spirit, than that of printing extracts of letters which were never sent, with a view to deceive the public, and to catch the lowest of the vulgar. Wherever any act of this kind has been proved upon a man, or his friends, it has never failed to raise the greatest abhorrence, in the mind of every gentleman, against him. It is a conduct in politics familiar to that in love, where a vain, silly, puffing fellow is continually shewing letters, as received from innocent virgins, which, in fact, had been written by himself.

Of this kind I apprehend to be the extract of a letter from Grenada, dated the 12th of July, printed and reprinted in all the news papers here, for several days together. The stile and matter is very unlike a letter of business, or of news from one friend to another. It is said, indeed, to have been sent to a correspondent at Edinburgh, and to a correspondent at London, but, upon the strictest enquiry, I cannot find that any body has received such a letter, except the printers of the news papers; neither do I believe that any man of character in the island would have written such a letter; and therefore I must fairly conclude that some officious friend had sent this letter, addressed to the newsmongers, of Great Britain, in the same ship with the person to whom it relates, though certainly without his knowledge, because his name is wrong spelt. But as there have been several other attempts of this kind lately, I desire to transcribe the paragraph at large, that I may not be misunderstood.

Extract of a letter from a Planter at Granada, to his correspondent in Edinburgh, July 12.

“ His excellency the governor in chief, who has had for some time post his majesty’s leave of absence

for the recovery of his health, but deferred his departure till he had visited the other islands of this government, where his presence had been judged very necessary, returned here on the 8th instant; and we have at the same time heard by letters, that the inhabitants of them all, are now in a state of harmony, and preserving their settlements with great spirit and success. Would to God I could send you the same agreeable account of unanimity, being restored here; but till an end is put to all the dangerous pretensions of the French Roman Catholics, by a decision, that they cannot be put on any better footing than our natural born subjects of that profession, no real happiness nor good understanding can be expected amongst us. On the departure of governor Melvill, the chief command will devolve on lieutenant-governor Fitzmaurice, who is daily expected from St. Vincent."

It is evident to every one, that the intent of the above application is to convey an opinion, that all the parts of Mr. Melvill's government except Grenada, * were in the most happy and flourishing state, and particularly that the inhabitants were pleased with his excellency's administration, and that the only reason why Grenada was not so, arose from the exorbitant claims of the Roman Catholic subjects. The contrary of which is, in every respect, the truth, as may be seen by the different representations to the secretary of state for the colonies: and the unfortunate Roman Catholics have been brought into this dispute from the most ignoble and illiberal motives, and the antiquated cries of difference in religion have been raised against them, merely to cover the general unpopularity of the government, who could only return four members out of twenty-one that constitute the assembly. And this has been imputed to the influence of the Roman Catholics.

Mr. Melvill might, with equal justice, have imputed to them his various disputes with the three different regiments: they, surely, were not Roman Catholics; and therefore to put religion out of the question,

* The place of his constant residence.

we shall beg leave to give some extracts of real letters in the disputes with those regiments.

Cardinal de Retz says, (but indeed he was a Roman Catholic) "That one authentic anecdote will determine a man's real character, in the opinion of all men of penetration, much better than volumes of memoirs." And perhaps the public will be disposed to judge from the following authentic fact whether Mr. Melvill is fit to govern a colony, rather than from the dignified address of the council and assembly of Tobago, consisting perhaps, of twenty white inhabitants, who seem to have been constituted into a legislature body (without authority) on purpose to execute this gracious work, and which has now so happily served to fill a page in the Gazette, almost sufficient to impress an opinion of the submission of the colonies, in the turbulent times.

A N E C D O T E.

Captain Lieutenant John Dumaresq, of the 70th regiment, having received an account of the death of his father, applied to governor Melvill, for leave to go to England. Governor Melvill, in consequence, ordered the Brigade Major to write to Mr. Dumaresq, the following letter.

Grenada August 23, 1767.

S I R,

His excellency the commander in chief has directed me to inform you he is sorry for the occasion of your applying to him for leave to go to Britain, and that he cannot give you a decisive answer till he has taken some military points into consideration, but thinks if your intention is really to go so speedily as you mention, you may make such preparations as are most necessary, and will be not attended with inconveniency or expence and he has no objection to your asking captain Gordon's approbation as soon as you think proper.

I am, Sir,

your most obedient, and humble servant,

JOHN CHARLTON,
acting Major of the Brigade.

To Capt. Dumaresq, Fort Royal.

Mr. Dumaresq, in consequence, began to settle his affairs for leaving the country, when, on the 5th of September, he received the following letter from the governor

Grenada, Sept. 5th, 1767, Evening.

S I R,

Although according to my message on the receipt of your last letter, viz. of the 1st. instant, I did not propose to give you any answer till after Capt. Gordon had come to town, and that your former was (I suppose) sufficiently replied to by the major of Brigade, who had my directions for it, yet as Cpt. Gordon's arrival proves later than was expected, *and that you appear under great anxiety, I have used the condescension of not only writing to you now, but entirely with my own hand,* † that the contents might not be imparted to any other person, and to rid you of doubt with respect to the reasons for your detention, I will now inform you, Sir, That I have either received very wrong informations on your conduct for some time past, or it has been such with regard to our civil constitution, * military subordination, and the respect, (nay the justice) due to me as the immediate representative of his majesty, and the commander in chief, as will render a very serious enquiry, and other proceedings, indispensably necessary, before you are permitted to leave this government, unless, much beyond my expectations, I should meet with such prudence, candour, and propriety in your acknowledgments or declarations, and conduct, as may prove entirely satisfactory,

I now make trial, Sir, by the inclosed paper, on some points, particularly requiring your answers, of your dispositions, and the justice to be expected, which answers, although of a *nature* (I think) to be given with-

† Compare this stile with that of the Apostle Paul, in his Epistles.

* By his Conduct in regard to the *Civil Constitution*, is meant his Conduct as a member of the house of assembly,

out

without hesitation, in one minute, my servant shall have orders to wait, *for an hour*, or longer, if you desire it.

ROBERT MELVILL.

To Capt. Dumaresq, of his Majesty's
70th regiment, at Fort Royal.

Governor Melvill's Queries to Capt. Dumaresq.

1. *Have you ever known me* to behave towards any one person, officer or soldier, in any one of his Majesty's garrisons within this government, with the smallest injustice, or even with severity?

2d. Have you not, on the contrary, observed my constant conduct to the officers here, to be not only polite, moderate, and equitable, but (previously to their late unhappy differences with the Magistrates, arising from the disputes of the Lieutenant-Colonel) to be full of frankness, affability, and kindness, on all *proper* occasions; and did they not always *think* themselves on a very good footing with me; as also that I was quite indulgent on the score of giving very little trouble by guards, military compliments, or other ceremonies due to me, as paid to Captain General of the Leeward Islands, by his Majesty's troops?

3d. And with respect to non-commissioned officers and soldiers, have you not perceived my only object concerning them to have always been, that on the one hand and on the other, they should be kept under such discipline, and perform their duties in such a manner, as might be most for the honour of the corps, and the good of his Majesty's service?

4th. And further, I desire to know from you, as adjutant of the regiment, whether they have not really been, for above these four months past, and actually are at present, in better order, in all respects, than they were a considerable time before?

To which Mr. Dumaresq having replied, that he could not answer any of these queries, as required, the Brigade Major was, in consequence, directed to acquaint Mr. Dumaresq, that the leave he demanded could not be granted, notwithstanding the commanding officer had communicated his consent, and declared that there was no regimental business to detain Mr. Dumaresq, and this in the following words:

S I R,

S I R,

Grenada, Sept. 9, 1767.

"I am directed by his Excellency, the Commander in Chief, to signify to you, that he is much surpris'd at a question you have taken the liberty of putting to him, viz: Whether you had his leave or not, to go to Europe? A point which he thinks you could be hardly at a loss upon. However, to rid you of all doubts, he has directed me to answer in one word, *not*; and further to inform you, he will not give you leave to quit your regimental duty, 'till he shall judge it proper and consistent with the good of his Majesty's service."

I am, Sir, Yours, &c.

JOHN CHARLTON,

acting Major of Brigade.

To Capt. Lieut. Dumaresq, Fort Royal.

Seven months hereafter his Majesty's leave of absence arriv'd for Capt George Chamberlaine, of the same regiment; the Governor then wrote the following letter to Capt. Chamberlaine.

S I R,

Grenada, May 3, 1768.

I have received from Lord Barrington, his Majesty's Secretary at War, a letter, of which the enclosed is an extract.

But although I am very conscious, and you ought to be no less sensible, how good my dispositions have always been towards you, yet you must think it but mere justice to myself, as Commander in Chief, that I do not permit you to go (*even if the service should otherwise allow of it*) before you have given satisfactory explanations, and expressed sufficient regret for your share in the three letters so injurious and unbecoming to me in my public character, secretly written and dispatched last year, to the other regiments under my command, as well as the 68th at Antigua. I hope when you have coolly and *dutifully* reflected on these things, you will think as you ought to do. I most sincerely wish it, and am,

Sir, your most obedient Servant;

ROBERT MELVILL.

* Capt. Dumaresq had a house at a short distance from town, where Mrs. Dumaresq lived for the benefit of her health; he ordered that no officer should lie out of the garrison, without his own express leave, which leave he refused to Capt. Dumaresq.

P. S. I understand that great endeavours have been used to obtain the King's leave for Captain Dumaresq, but it was not granted.

R. M.

To Captain George Chamberlaine, of the 70th regiment, Fort Royal.

To which Captain Chamberlain sent the following answer.

S I R,

I return your Excellency thanks for the good dispositions which you inform me you have always had towards me ; but I am sorry that your Excellency should think it necessary, as a preliminary to granting me leave, that I should express a regret for any part of my conduct, or that it should even require any justification, as I am conscious of not having done any thing injurious or unbecoming to you in your public character : and I flatter myself, when your Excellency has impartially reflected upon the whole of my conduct, since I have been in this island, you will find nothing in it derogatory to the character of an officer and a gentleman.

If therefore your Excellency is not pleased to concur with his Majesty's pleasure in granting me leave, I must patiently wait till I hear further from my friends. I have, &c. &c.

GEORGE CHAMBERLAINE.

May, 4, 1768.

To his Excellency Governor Melvill.

The next ship brought the peremptory leave for those two officers ; upon which his excellency sent his last resolves in the following intelligible, kind, and condescending expressions.

S I R,

Grenada, May 29, 1768.

You know that from motives of personal delicacy, with respect to some officers here, who had acknowledged a good deal ; and from my willingness to believe that others (although hindered by wrong pride or unhappy engagements from confessing) were however both sorry and ashamed of the rash share they had had in the secret and sad performances (I mean the three letters) against

*H

me,

me, as Commander in Chief, the Magistrates, &c. I used my endeavours to make the just censures of the *Council* † fall generally upon what they should judge to be most deserving of it in the doctrines, without going into proofs of, and fixing a reproach upon the particular authors; and this was the most generous conduct could possibly be used on my part: but if any of the gentlemen chuse to stand forth as the authors and defenders of the contents, *the Council have, by a resolution, determined to give a full opportunity for it*, which you may give notice of.

As to those who have applied for leave of absence, you may acquaint Capt. Chamberlain, that I have no objection at present to his going as soon as he pleases; and as to Captain Lieutenant Dumaresq, you may write to him to know whether he is as desirous to go home, as he appeared to be some months ago; and which, *more luckily for his affairs I believe, did not take place.* * I am, Sir,

Yours &c.

ROBERT MELVILL.

To Major Charlton, acting Major of Brigade.

These particulars are mentioned to show, that the Roman Catholics are not the only persons in the island of Grenada, who have incurred the displeasure of the Governor, notwithstanding the great cordiality towards him, which subsists amongst the numerous inhabitants of Tobago. These personal matters cannot greatly interest the public, further than as they show the real characters of men. But it is believed the public will be interested in a very serious manner, when it shall be fully informed of the attempts of the Governor and Council, to subvert the rights of the Assembly, and to establish the most dangerous precedents against the constitutional liberty of that part of his Majesty's dominions.

† By what pretext, or authority could the Council take cognizance of private letters sent from the Officers of one regiment to another?

* Capt. Dumaresq having had some unfortunate adventures in the way of business, the humane Governor, her insults over his misfortunes,

No.

A C O P Y,

To Alexander Johnstone, Esq; Lieutenant Colonel of
his Majesty's 70th Regiment:

S I R,

Grenada, May 1, 1767.

Influenced alone by principle and by truth, we cannot resist the bent of our inclinations, as well to testify our sense of the integrity and uprightness of your private conduct, as the constant, faithful, and honourable discharge of the command vested in you by your royal master; the humane and unwearied diligence so conspicuous, and in its consequences so essential, in preserving the healths and lives of the soldiers and non-commissioned officers in his majesty's 70th regiment, on their arrival in a climate which has ever proved fatal to Europeans; the exact discipline maintained in the regiment, without the appearance of rigorous means, the continual easy deportment of even the meanest soldier under your command to the lowest civil subject; and, in particular, *the uninterrupted harmony and affection, which has ever subsisted between the officers of your corps, and the private gentlemen of this colony.*

We beg leave to reiterate, Sir, that these undeniable testimonies, in as much as they do honor to your prudence and abilities, so they exact from us on our parts, expressions of unfeigned concern at those measures, which by removing you from a command so consistently and honourably supported, lay you under the unwilling necessity of seeking redress near the royal fountain from whence you derived it; and as an act of our duty to bear record of our services which in this colony must remain their own monument.

With an assurance that the tenor of your conduct in this colony, and your long and faithful services to your king and country, will meet with that determination from those judges who are to take your case into further consideration, as is consonant with their characters, station, and love of justice; we have only to conclude with fervent wishes for a prosperous voyage, and your speedy return,

turn, as firmly reinstated in your former command, as
you continue to enjoy the hearty esteem of

SIR,

Your most obedient and most

humble Servants,

- | | |
|--|------------------------------|
| 1 Thomas Proudfoot, a | and merchant. |
| member of the council, | 3 L. A. Rochard, consi- |
| and justice of the peace. | derable planter. |
| 1 Wm Lindow, ditto. | 3 Jean B. Roubin, ditto. |
| 1 Robert Young, member | 3 Depradines, ditto. |
| of assembly, and justice | 3 Robert Cassé, ditto. |
| of the peace. | 3 Deroure, ditto. |
| 1 Wm Young, ditto. | 3 Le Cher. Demange de |
| 1 Wm M'Intosh, ditto. | Vignieuille, ditto. |
| 1 Alex. Winniett, ditto. | 3 Boutillier, ditto. |
| 1 Alex. Jn Alexander, do. | 3 Purre Castaing, ditto. |
| 2 Richard W. Cormick, | 3 Corregé, ditto. |
| justice of the peace. | 3 Noel, ditto. |
| 1 Robert Glasford, mem- | 3 Houc, ditto. |
| ber of the assembly and | 3 Le Riche, ditto. |
| justice. | 3 B. Aquart, merchant. |
| 3 Edw. Devenish, a planter. | 3 Savignac de la Rivierre, |
| 2 Hugh Monro, justice of | planter. |
| the peace. | 3 De la Chancellerie, ditto. |
| 2 Wm Gray, ditto. | 3 Mollmer, ditto. |
| 2 Alexander Young, ditto. | 3 L. A. Ferray, ditto. |
| 3 James Mac Intosh, sen. | De St. Gorgon. |
| planter. | 3 Bardinett, planter. |
| 1 James Mac Intosh, jun. | Changin. |
| member of assembly. | 3 La Marque, mer- |
| Ralph Buglafs. | chant and planter. |
| Duncan M'Donald. | 3 Fortin Cadet, planter. |
| 3 Wm Burke, planter. | 3 Degannes, ditto. |
| 3 David Mill, merchant | 3 Maurielle, ditto. |
| and planter. | 3 De la Brier, ditto. |
| 3 Arch. Scott, planter. | 3 De Cella, ditto. |
| 3 Wm Donaldson, planter | 3 Le Chr. Degannes, ditto. |
| 1 Members of the legislature, and justices of the peace, 9. | |
| 2 Planters, and justices of the peace, 4. | |
| 3 Planters, chiefly the most considerable in the island, 30. | |

No.

COPY of the Letter from the Assembly of Grenada,
January 16, 1768, to Mr. Maitland, Agent.

Granada, January 16, 1768.

S I R,

BY the act of assembly, appointing you agent for this colony, you are to pay no regard to any act that is not transmitted to you by a committee of the president and three of the council; the speaker and five of the assembly: and as we find no such committee has ever been appointed by the late assembly, we presume you have not offered to solicit the royal assent, to any act passed last session; but particularly, to an act for establishing a militia, which is highly disagreeable to our constituents: and which must oblige his majesty's new subjects to quit the colony, if enforced; amongst many other reasons you will easily conceive, that such of them as have had the honour to serve his most Christian majesty, and have borne commissions, will think it extremely hard to serve in the ranks, in the militia of Grenada; and perhaps under their own servant, which may easily happen, if we can suppose a commander in chief willing to resent any enmity, he might bear to them in that way.

We were much surprized on being informed, that the papers concerning Colonel Johnstone's affair with some justices here, have been transmitted to you. We hope you have not presumed to do any thing in it, in the least disagreeable to Colonel Johnstone: and if you have, we disapprove of it highly; we look upon that transaction to be highly dishonourable to the colony, and must give his majesty the most unfavourable opinion of us, if ever it should come to his ears; whereas it was by no means agreeable to the colony in general.

That gentleman has always behaved so unexceptionably, that the parish of St. David's have unanimously chosen him for their representative in this assembly; and the origin of that affair was so extremely trifling, that we are convinced it must have been some private animosity, resented in this manner, by some person who perhaps did
not

not appear. But as Col. Johnstone alone knows what steps you have taken with regard to him; and whether they are such as an agent for this colony ought to have taken, we shall wait his information before we take any steps with regard to you. In the mean time, we have sent him a copy of this, agreeable to an order of the house, also an account of what we have thought necessary for the public service; as we cannot think of corresponding with you on such subjects, while it is doubtful whether you have not taken part in party differences, and contrary to the sentiments of the best men in the island.

We are, &c.

A true copy.

ALEX. WINNIETT, Speaker.

To Richard Maitland, Esq;

No. XVI.

MEMORIAL from the New Subjects in Support of their Right of Suffrage.

C O P Y.

To his Excellency Robert Melvill, Esq; Captain General, and Governor in Chief in and over his Majesty's Southern Carribee Islands; and to the Honourable the Members of the Council.

The Memorial of his Majesty's adopted Subjects in the Island of Grenada.

Humbly Sheweth,

THAT your memorialists, penetrated with a deep sense of his majesty's most gracious protection, and conscious of the excellence of the British government, have in the firm confidence of the enjoyment of every privilege and indulgence stipulated by capitulation and by treaty, resisted the solicitation and example of several of the former inhabitants of this island, to avail themselves of the time limited for emigration; and have taken the oaths of allegiance, supremacy, and abjuration, as well to
give

give a testimony of their attachment, as to entitle them to the rights of British subjects.

That considering themselves, particularly from that moment, as bound by the ties of duty and affection, they have embraced every opportunity of testifying their loyalty and obedience ; they have endeavoured by every effort of industry, by additional purchases, and by the settlement of new lands, to become as useful, as they shall be ever faithful subjects ; and were in hopes, that as well their public zeal, as their private friendships, and multiplied connections with his majesty's natural born subjects, would be productive of the most perfect union, leaving only the emulation of good conduct, and removing every motive of distinction, which the laws of Great Britain, that are found expedient to extend to new and conquered colonies, do not necessarily establish.

That your memorialists were confirmed and encouraged in this equal and agreeable prospect, from the cordiality and harmony in which they have uninterruptedly continued, and the alliances they have contracted with his majesty's natural born subjects settled in this island, by the favourable testimony of their governors, by the gracious reception of their address to their most gracious sovereign, and by his indulgent disposition towards them : that they constantly flattered themselves with the expectation of partaking in common with the other inhabitants of this island, of every mark of royal favour ; that no unnecessary exclusion could be countenanced to their prejudice ; it not appearing to them, either in the spirit of British liberty, or of sound policy, to retard by invidious distinctions the progress of that attachment, with which your memorialists are inspired for the government of Great Britain, or to leave them any pretext or possibility of placing their desires, or fixing their views on any other sovereign or country.

That it was therefore the general opinion and desire of the inhabitants of Grenada, as soon as his majesty's intentions were publicly made known of permitting the legislature to be compleated, by calling an assembly of persons endued with abilities and knowledge, as well as integrity and zeal, and being natural born subjects and Protestants, as deputies of the people, that every freeholder would be equally permitted the enjoyment of that right which he seems

seems naturally to possess, of concurring in the nomination of the person to whom he entrusts the disposal of his property, and who cannot otherwise be justly called his representative.

That your memorialists were accordingly solicited by the candidates for the several divisions of the island, and were deliberating on the choice of the persons whom they thought most worthy to confide in, when to their equal concern and surprise, they were alarmed with the report of a paper being unexpectedly presented by some few persons to your excellency, and to your honors, with an intent to prescribe rules for your conduct in the manner of elections, and qualifications of electors, expressly desiring that every ancient inhabitant not born under his majesty's dominions, should be deprived of their right of suffrage.

That they are the more embarrassed to account for such a conduct, as many of the gentlemen concerned in the above demand, did actually apply to your memorialists, not many weeks, not many days ago, for their votes at the ensuing election, and that they must consequently have been then convinced of the right of your memorialists to give it; that your memorialists have been guilty of no crime within that space to occasion a forfeiture of their privileges, and that they are unwilling to suppose that these gentlemen could be actuated either by a desire of confining the power of election to a fewer number, in order to be so much the more secure of unfailing influence, or that they were piqued at the want of success they may have happened to have met with in their applications to your memorialists.

That your memorialists cannot but be very justly and deeply alarmed at the design expressed in the memorial of their opponents, to consider them in the nature, and by the appellation of *Aliens*, and consequently not entitled to the possession of property, or even to the name of subjects; such an imputation must have filled the minds of your memorialists with the most dreadful apprehensions, if, reposing on the wisdom and equity of his majesty, and of the British government, and on the faith of treaty, they did not think their liberties and possessions perfectly secure under the protection of your excellency, and your honors, to whom they have been entrusted: that his most gracious majesty, by adopting them as subjects, by per-
mitting

mitting them the enjoyment of their properties, and by the promise of every privilege and indulgence necessary and usual in young colonies, has sufficiently declared them to be not Aliens: that the option left by the courts of Great Britain and France to the inhabitants of Grenada in the late treaty, either to retire to France within a limited time, or to become British subjects, has, (by giving at the expiration of that term, an easy opportunity of distinguishing, what have been the sentiments and intentions of every individual) long since taken away every pretence for branding them with a name that implies subjection and allegiance to some foreign state, and which your memorialists would think themselves as criminal to admit, as unhappy to find true.

That your memorialists, conscious of the impropriety of exercising in their own persons, the functions of representatives, or of acting as magistrates, or of filling any other civil or military employment, * humbly apprehend the attempt so much the more cruel and unjust, of depriving them of any remaining privilege to which public faith, the goodness of their sovereign, and the wisdom of government may have given them a title.

That conscious of having discharged the duty of loyal and faithful subjects, they humbly presumed to hope that no endeavours would be made to strain or torture the express meaning and letter of the British laws, in order to deprive them of any advantage not forbidden by the spirit of them.

That they are advised, that even in the rigor of the laws as enforced in the mother country, they are, by having taken the oaths of allegiance, supremacy, and abjuration, absolutely intitled to give votes as freeholders for representatives properly qualified.

That they are credibly informed, that for the encouragement of settlers in many of his majesty's colonies, the rigor of the laws, concerning the qualifications of electors, has been found useful to be relaxed; and that it has been a long adopted maxim to permit Roman Catholics, and other Dissenters from the church of England, to give their votes in the choice of representatives, &c. without even taking, as your memorialists have done, the several

* These were their sentiments till Governor M——— suggested the contrary, as appears from the Narrative.

paths to government; that such an indulgence has not been discountenanced or corrected; that many, and great advantages are said to have accrued from it; and that it has not been found to be attended with any inconvenience.

That if there could be any doubt in law, which your memorialists are advised is not the case, concerning their right of suffrage, they humbly apprehend, that there could never be more, or stronger motives, for a favourable interpretation, or even an absolute indulgence, than in the present instance; in a colony, long distressed, and much unsettled, where industry wherever placed calls for equal and indiscriminate encouragement; in a colony, whose numbers, gathered from different quarters, demand to be united by common interests and common rights; in a colony, whose cultivation depending on the number, labour and submission of negroes, calls for such absolute influence in the hands of every freeholder, in order to maintain them in proper discipline and respect; and render any unnatural or unnecessary subordination and inequality among whites, that approaches them to the level of their slaves, as dangerous as it is odious; in a colony, whose future welfare and prosperity may require some taxes to be raised upon the subjects, which no man can ever pay with cheerfulness and content, unless he has his share in granting and regulating them; in a colony, where, as every regulation is as yet to make, and where its future freedom, tranquillity and happiness, must much depend on the conduct of the representatives, the choice among the candidates is so much the more likely to be unbiassed and impartial, that the number of free electors is more considerable, especially of those who do not even hope for any public dignity, any emolument or employment, which might be offered them in any future time, as the reward of complaisance, or the wages of corruption.

That your memorialists, after having humbly exposed to your excellency, and to your honors, their claim as subjects and as freeholders, and consequently as electors, that they might expect from their fidelity and attachment to his majesty's person and government, and from their industry and usefulness, to be confirmed in their right of suffrage: they beg leave to submit, whether, if there could remain in the minds, or escape from the pens of their opponents, the least suspicion of the loyalty of the sentiments of your memorialists,

lists, the most effectual and undoubted method of securing their firmest allegiance, would not be, to create in them a confidence and regard for the British constitution, by admitting them to the rights it has established, by discountenancing every invidious and improper difference, and by considering the whole colony as an united body, equally zealous and loyal; your memorialists, as good subjects, have an undoubted claim to vote, and what can contribute more to make them, or to keep them such, than by allowing them the enjoyment of that claim?

That your memorialists, perfectly assured of the upright and favourable sentiments upon this occasion, of much the greater number of his majesty's natural born subjects in this Island, request your excellency and your honours, not to permit the ungenerous and unwarranted designs of a very few persons against your memorialists, to be construed into the appearance of a national, or a general contestation, between his majesty's natural born, and his adopted subjects in this colony. That this confidence of your memorialists, has contributed to obviate and counteract much of that impression of jealousy, discord, and suspicion, which the schemes of their opponents might have tended to create.

That your memorialists chusing, in respect to your excellency, and to your honours, to suppress the expressions of their indignation at such cruel and unmerited attacks, without endeavouring to penetrate into the motives that could have prevailed over the candour, equity, and wisdom of some of their fellow-subjects, to attempt to ride them of the most precious benefits which liberty can bestow, humbly to represent to your excellency, and to your honours, how essential it becomes to the safety, happiness and tranquillity of your memorialists, that such proposals be for the future rejected and discountenanced with the utmost care, as equally dangerous and fatal, not only to your memorialists, but prejudicial to the whole colony; and that you will be pleased to confirm and declare the right of your memorialists as British subjects and as freeholders, to vote at the ensuing election of representatives for this Island. And your memorialists, as in duty bound, will ever pray.

No. XVII.

MINUTES of the Council of GRENADA, with
a Reply.

THE Council of Grenada having thought proper to publish some answers to the minutes of the Assembly of the 19th of March, *after the second prorogation of the Assembly*, when it was impossible for the Members, as a collective body, to refute the assertions contained in such answers : Without remarking on the unfairness of such a proceeding, or the illegality of the Council still continuing to act in a legislative capacity, after the Assembly was prorogued, a degree of absurdity hardly to have been expected from school-boys learning the first principles of our constitution ; several of the Members of Assembly being now convened, think it necessary, in order to prevent evil impressions at a distance from the misrepresentations of the Council, to state their reply to the memorial of the Council of the 15th of April, addressed to Governor Melvill.

As the clearest method of treating this business ; each accusation in the Councils memorials is stated, and the answer of the Members of the Assembly subjoined to each accusation.

Accusation of the Council.

ARTICLE I.

We the Members of his Majesty's Council for the Islands of Grenada and the Grenadines, find ourselves under the disagreeable necessity of justifying our conduct against the unjust aspersions, and wilful misrepresentations of the House of Assembly, which appear in their minutes of the 18th instant ; and by a paper which they have thought proper to dignify with the title of *An Address to our most gracious Sovereign*, but which we think might, with much more propriety, be entitled, *A Libel against your Excellency and the Council* ; and which address they have very indecently, and with much disrespect to the crown, ordered to be printed and published in the news paper.

Answer

Answers of the Members of Assembly.

ANSWER I.

That the Assembly have transmitted an Address to the Crown, complaining of the conduct of Governor Melvill, and the Council of Grenada, is most true.---That it merits to be entitled a libel, we deny.

It is not on the mere assertion of the Council, or Assembly, or of Governor Melvill, that the disputes between them are to be determined, but on a strict examination of facts.

The Assembly have an undoubted right to complain to their Sovereign, both of his Governor and of his Council, supposing the one or both should act contrary to law, or the good of the community entrusted to their care.

That in managing of these complaints, the respectable situations of the Governor, Council, and Assembly, are such, as require the utmost decency of expression, (so that the truth is not stifled) no man will deny, who has ever thought properly on those subjects.

But who were the first trespassers upon the rights of the others? Who first passed the line of decency and of dignity, in those disputes? * Whether the Address to the King was well or ill founded? Whether the preceding provocation from the Council was sufficient to vindicate the manner of expressing our complaints?

All these are the matters in issue, which we desire may be thoroughly examined.

Respecting the printing the Address to the King, before it had been presented to his Majesty; every one knows that the proceedings of an Assembly cannot be kept secret.---That the printing or not printing is therefore extremel immaterial in itself.

But so far as depended on the Assembly, to shew the fullest respect to his Majesty, it is a notorious fact, that the Address was not published by order of the House (as is asserted by the Council) but by a mere inadvertency of

* See the first resolution of the Council against the Assembly, No 12, in the Appendix.

the clerk, and this was proved in the most satisfactory manner, on the fullest examination, the very next day ; and therefore it would appear, that the Council seem to be conscious of great weakness in the essential points, when they revert to matters of such trivial consequence ; and which cannot make any difference in the actual state of the present disputes.

ART. II. For this purpose, we beg leave to lay before your Excellency, a copy of our minutes in Council since the 18th of November, when your Excellency was pleased to call us together, to consult upon matters which you justly thought of great importance to the welfare of this colony.

ANS. II. By this the Council would insinuate, that as they were called together by order of his Excellency the Governor, that therefore they were to be vindicated in every thing they did in consequence of his directions, and particularly in resolving themselves into a branch of the legislature, as he desired it.

But it is to be remembered, that there are certain things the Governor can do, and certain things he cannot. He may call the Council and Assembly together when he pleases ; but he cannot call one branch of the legislature, without assembling the other. — To compare great things with small, the King could not assemble the House of Lords, in their legislative capacity, without calling the Commons. Both must be done by proclamation, not by private summons.

The confusion arising in the minds of his Majesty's Counsellors of Grenada, proceeds from this, that the majority of them cannot distinguish between the several capacities in which they act at different times, and on different occasions, having, (though the same men) very distinct and very different authorities. Such a multiplicity of honours really confounds men unaccustomed to think becoming the dignity of such stations.

To be more particular concerning the various capacities of the Council in the Colonies, we shall enumerate them :

First, They are as a Privy-Council to the Governor, to advise him relative to acts of state ; here their authority is very much circumscribed, by the act of Charles I. regu-

regulating the power of the Privy Council, and abolishing the Star-Chamber; and in this light all the summonses, commitments, and reprehensions, for contempt or non-appearance, practised by the Council of Grenada, are illegal.

Their power is no more, and in many cases not so much, as a common Justice of Peace, their office (as is said before) being chiefly to advise in the execution of the King's prerogative; for which purpose, they ought to be well acquainted with the natural ties of civil society, and the constitution of government under which they live.

But if they are acquainted with neither of these, we shall certainly find mistakes very like those committed by the Council of Granada.

It was their duty in this capacity, to have advised the Governor, if he was so ignorant himself of the first principles of the Constitution; not to have exposed himself, and the government under his direction, to the ridicule of all men of sense, in calling one part of the legislature without the other.

But if their advice could not prevail to prevent his Excellency from issuing such an order, they should, in their legislative capacity, have remonstrated against the absurdity, and shown, at least, when left to themselves, that they knew something of the duties of their station.

The *second* duty of the Council is as a Court of Error. Here the doors should be open, and they have the privilege of punishing for contempt, incident to other Courts of Justice.

In Grenada they are likewise constituted Commissioners in conjunction with his Excellency for discharging the duty of Chancellor: And here the powers incident to the Court of Chancery belong to the whole in the commission, not to each particular Member, as has been practised in Grenada. *

The *last* duty of the station of a Counsellor, and the most important, is that of a Member of the legislature, entrusted with the life, limb, and property of his fellow-

* The Act of the Colony constituting the Council as a Court of Chancery, in association with the Governor, has been rejected by the Sovereign.

Subjects.

subjects. Here he is to act totally independent of the Governor. The body has privileges annexed by the British Constitution to that part of the Legislature; but cannot extend them to punish sedition, or any other misdemeanor except a breach of the privilege of that order of the society. Any other fault, against the whole Community, must be punished by the general Laws of the Community.

ART. III. As to the first resolution of the Assembly, we must observe; That it is obvious to your Excellency and the world, that their proceeding against Mr. Robertson and Mr. Nethercott, in support of the illegal pretensions of professed and notorious Roman Catholics, must necessarily tend to inflame and increase the heats and animosities between the old and new subjects; and that the attempts of the latter, to intrude themselves into the Legislature, seem evidently to be supported and encouraged by the proceedings of the House of Assembly.

ANS. III. The key to the whole of these proceedings is this: The Governor having, by a continued scene of artifice, and public professions of humanity, and general benevolence, played one party against another, and established such laws and regulations as were consistent with his own ideas, (specimens of which may be seen by the * laws themselves) and having gratified, in many instances, his own private revenge, under the fairest pretences of public justice; the gentlemen of the island, who had not before chosen to interfere in the politics of Grenada, perceiving the entire confusion into which all government was running, and the wanton prostitution of power that was exercised, and the notorious deceits that were practised upon the public; resolved to make a stand becoming their characters, and accordingly commenced the opposition, which threw out the whole of Mr. Melvill's Members except three.

Finding an Assembly constituted with such dispositions, it became necessary to impeach them in some way

* Many have been rejected by the King, and almost all the others have been either repealed or amended by the present Assemblies.

or other, in order to support the pretended popularity which Mr. Melvill had communicated of himself to England, and likewise to over-awe the inhabitants in case of a dissolution. For this purpose, the illiberal cries of a difference in religion were raised, for the first time, in a West India island. The power of the Pope, declining in every other part of the world, was alledged to be rearing its head in the island of Grenada.

Many laws passed in the most barbarous times of ignorance and enthusiasm, were translated and pasted up through the country, and every means were taken to terrify innocent subjects out of their senses, and to cause the inhabitants to regard a French Roman Catholic, as something criminal in the society, and that the penal statutes were immediately to be put in execution.

Petitions were accordingly handed about, as in the times of Cromwell. Nay, the officers and soldiers, assembled on the parade, were requested by the commanding officer, (a Member of the Council) to petition and join against malignants: But both officers and soldiers were deaf to such entreaties.

Mr. Alexander Simpson, private secretary to Governor Melvill, himself educated in Holland, and mixing with all religions, and never noted for espousing any until the present trying occasion, was proved to be the person most active in promoting this petition, and collecting persons, the most improper, even transient sailors, to sign it.

His Majesty's ministers will therefore judge, whether those who endeavoured to unravel and expose such meanness and hypocrisy, by a thorough and public examination, or those who first endeavoured to raise such odious distinctions, are to be charged with inflaming and increasing the heats and animosities between the old and new subjects?

What demonstrates the truth in this contention, beyond a possibility of contradiction, is the following fact, appearing in evidence before the Assembly, upon the testimony of Mr. D——u, and Mr. D——y, two new subjects, who severally declare, "That no Member of the present Assembly had ever given them any encouragement to think that Roman Catholics would be

* See the Letter No. VII. in the Appendix.

* K .

" admitted

“ admitted as Members of the Assembly. But that
 “ Governor M—ll had always given them great en-
 “ couragement to expect it; and even told them, that
 “ they might depend on him in this respect.”

They even produced a vote in the second Assembly, made, we presume, in concert with Governor Melvill, where Mr. Pigott moved, and was seconded by Mr. Robertson, the former is the first name at the petition (No. 6 in the Appendix) against the new subjects, and the latter is the very returning officer now in question, *and who is so much alarmed*, to allow the same privileges to the new subjects which the old were intitled to; and though leave was given to bring in this bill, it was never produced. From whence, it would appear, that as those Members were the known dependants of Governor M—ll, that the Bill had been dropt by a counter-artifice. Yet still the sentiments of those three eminent personages are notorious, and should at least preclude them from joining in those illiberal attacks, founded on difference of religion, at this time so industriously propagated.

ART. IV. And it is equally obvious, that what the House of Assembly asserts, of the Council's interfering in elections, by calling before them, voters, denying them Counsel, or leave to speak in their own defence, is utterly void of foundation. We are at a loss to know, what instance they allude to; and we are persuaded, had they known any, they would have mentioned it.

If perhaps, they mean the case of Mr. Cazaud, it is manifest from our minutes, that he was summoned to appear before the Council, not as a voter, he having no vote in the town of St. George; but as a seditious person, publishing a libel against the different branches of the Legislature; and that it was for disobeying the summons of the Council, and for other contempts to this Board, that he was committed to prison, till he made a proper submission.

It is also apparent from our minutes, that the other persons who signed the protest, were likewise required to appear before us, not as voters, but as persons under the same circumstances with Mr. Cazaud, for which the

the Council thought proper to bind them over to answer at the next ensuing court of King's-Bench, and Grand Sessions; when, though highly culpable, they were discharged, and their recognizances cancelled, at the desire of the Council, for reasons given in our minutes of the 7th of March; and we sincerely wish, that the good effects which we might naturally expect from our lenity, may not be prevented by the same evil minded men, who first led them into that unhappy mistake.

Ans, IV. The Assembly do undoubtedly mean the case of Mr. Cazaud, which is perhaps the most tyrannical, confused, and illegal series of proceedings, that ever were transacted by any men, taking upon them the management of a British Colony. The Council confessedly sat there as a Privy Council, and indeed the only power they had, in that capacity, was merely to examine into offences against the government, and there could be no breach of privilege to that body, nor any punishment for disobedience of summons, nor for distant contempt, and therefore committing him to prison, without having been guilty of any offence in view of the Council, or being charged on the oath of any other person, or on his own confession, but merely by the authority of the Council, was illegal.

If the Council pretend they sat in their legislative capacity, it is again affirmed, they were illegally assembled, as the former Assembly was dissolved, and the writs for the new Assembly were not returnable until some time after; and therefore every act they did was absurd.

Thus the merits stand upon the general view; but when we look into the particular case, how much more glaringly factious and ridiculous does the conduct of the Council appear?

Mr. Cazaud, as an agent for others, apprehended that certain privileges were granted, or belonged to himself and other inhabitants of the island of Grenada. At the election for the town of St. George, they severally claimed those privileges: Their request was denied: Upon this they take a protest, according to the form of the civil law, under which they had been brought up, stating the facts, and asserting their claim. It is no matter whe-

ther this claim was well or ill founded. It was to be submitted to calm discussion in another place, and undoubtedly before the Assembly, where alone it was cognizable in this island.

If asserting that to be a law, which proves to be otherwise, is a matter sufficient for commitment, every counsellor for a client, who pleads upon false ideas, might be committed, and there would be an end of all examination and discussions.

This is said, upon admitting that the claims of Mr. Cazaud and his associates were actually wrong, which is far from being the case. The law of Grenada*, it is true, has denied Roman Catholics the privilege of sitting in the Assembly. But the particular test as to be administered upon taking their seat.

A returning officer is always to be considered as much ministerial as the nature of his office will possibly admit. He is merely to administer the different oaths and declarations which the law has required; some oaths are prescribed at elections, others entering the House of Assembly. If the parties are willing to take those of electors, he has no power of further examination. This must lie with the Assembly, otherwise the returning officer would have the entire power of Elections: But the whole of this confusion arises from the absurdity of permitting Members of the Council to interfere, in any shape with elections; nor can there be a greater solecism in government, than that which is exhibited in Grenada, under the benign auspices of General M—ll, where they (the Council) both act as returning officers, and give their votes for Members of Assembly.

If Mr. Cazaud had been guilty of sedition, the proper jurisdiction for bringing him to trial, was the Justices of the Peace. If he was to be tried by the Council, for publishing a libel against the different branches of the Legislature, the assembly had a right to be consulted as one of the branches, therefore the enquiry of the Assembly was pertinent; but really this commitment of Mr. Cazaud, *for Sedition and other Contempts to this Board*, puts us in mind of a story we have read of a

* Since rejected by his Majesty.

Justice of Peace in England, who having frequently suffered for illegal Commitments, and being told that he alone was Judge of Contempts, always added, in his future warrants, after stating the charge, "*and for other Contempts against me the said Justice of Peace.*" But this, upon a subsequent trial, being proved to be his general words, they held him in no benefit, and he was fined for the fifth and last time, until he left off business.

The alledging that Mr. Cazaud and the other gentlemen were not called before the Council as voters, is a subterfuge of the poorest kind. The matter happened at an election, the dispute was relative to the right of voting, and yet it is pretended that the enquiry had nothing to do with those subjects.

The pretended lenity of the Council on this occasion, in discharging the prisoners, and cancelling their recognizances, after a secret examination, and finding that exclusive of the petitioners against the Senters of the Protest, (who by that act, had not only prejudged, but precluded themselves,) juries could not be found to find bills of indictment, is like the mercy of the Empress of Russia, Elizabeth, who, after stating some trifling offence against a criminal, for which it is there declared, he justly deserved to die, concludes the manifesto with saying, "*But We, from our pious resolution at mounting the throne, having determined against taking away the lives of Our subjects, have now only resolved, in our great clemency, that his legs and arms shall be struck off, and the remaining parts of his body confined in a dungeon, for life.*"

If the assembly did not recapitulate the particular cases where the Governor and Council have interfered in elections, it was owing to the notoriety, of the numerous instances which have happened. There is not a man of any consequence in the Island that cannot now produce many letters in General M—ll's own handwriting to that purpose. The transaction of buying Mr. P—ll's Estate, after the poll was opened for the election for the parish of St. John's, at which Mr. G—m a member of the Council was returning officer, by which votes were multiplied on the spot, and Mr. Robertson tho' not possessed of a qualification, was returned

ed a Member for the second Assembly is another case. The behaviour of Mr. J—s a *Member of the Council and returning-officer*, at the election for St. David's, who refused all the French votes that were against the Governor's Candidates, under pretence of their not having certificates that they had taken the oaths, tho' he himself had at two former elections taken the same votes, and had the former polls then before him, and his having actually appointed and sworn in freeholders as constables, tho' not named as usual by the Courts of quarter or general sessions, who refused to vote for the Governor's candidates and also his refusal of the vote of a Protestant, who had but a few days before resigned his seat in the Assembly, and was then in the commission of the Peace, is a third instance.

We shall only mention one more, which happened at the first general election, because it was that election where the least undue influence prevailed.

Mr. R—t J—s was furnished by the Governor with a number of blank certificates of having taken the oaths to government, in terms of the ordinance, one of these was given to Mr. Fortin, a person who never had taken the necessary oaths, in consideration of his voting for Mr. H—e and Mr. C—ll, two of the Governor's friends, and his vote was in consequence received on the poll.

ART. V. With respect to their second resolution; the Council beg leave to refer your Excellency to a copy of the several polls of the elections, hereunto annexed; by which it will appear, that the assertion of the Council, that the members of the present Assembly were chiefly chosen by his Majesty's new Roman Catholic subjects, is fully justified, there being *eighteen* of the *twenty one* members chosen almost entirely by the new adopted Roman Catholic subjects. And we cannot help observing, that three of the small number who appear by their own minutes in constant opposition to their measures, were chosen by his Majesty's natural born subjects.

ANS. V. The assembly never did alledge that the majority of the voters were not new subjects: it certainly

ly was the case in the last election, and must be the case in every election in this island. But they say it was a malicious, canting aspersions in the Council, "that the Assembly have been chosen contrary to the opinion of all good Protestants and his Majesty's old subjects."

To make the application of the state of the poll any way answerable to their conclusions, they ought to have distinguished between the new subjects who were Protestants and those who were Roman Catholics. Do the Council pretend that the new adopted subjects have no right to vote?

If they have a right to vote, their sentiments in the community, as far as their right goes, ought to be equally regarded as others. Would Mr. M—ll, and the Council, have the sentiment, of 496 antient inhabitants, yield to 199 new settlers? This is even supposing that all the natural-born-subjects had voted one way, whereas in fact according to their own state, they are pretty equally divided.

What would become of the parish of St. Mark's and St. John's, upon the principle laid down by the Council, which parishes according to the state of the Polls, have no natural born subjects at all? Mr. M—ll is sent here to govern a ceded island. A regard to the antient inhabitants, so that they may feel the mild, extensive, merciful, and tolerating principles of our government, is his chief duty.

There could not be a juster accusation against his administration, than that he has rendered himself odious to the antient inhabitants, and endeavoured to raise those ignoble distinctions of new and old subjects, Protestants and Catholics, which ought to have been buried in oblivion. The motives and influence which has set three Members in constant opposition to all the other Members of the Assembly, is distinguishable, as well as their connections, by their names, viz. J—n P—g—t, A—r M—d—n, and H—h M—o.

Art. VI. In regard to their fourth resolution, we say, that upon the clearest principles of reason and constitution, no branch of legislature, can, by their votes or resolutions, make that unlawful, which was before lawful, and vice versa.

And

And if any person hath been, or shall be punished, for doing his duty strictly, according to law; we hold such punishment as arbitrary, oppressive, and unjust, by whomsoever inflicted: and we are persuaded your Excellency and the world, think the punishment, lately inflicted upon Mr. Robertson, and Mr. Nethercott, by the House of assembly, was a very improper exertion of power.

ANS. VI. Undoubtedly every law or regulation, ex post facto, carrying punishment, is a grievance and contrary to the proper maxims of a just government, and therefore the trite observation, uttered in by the Council with so much pomp, is ridiculous. The privileges of both branches of the legislature are derived from the common law, but unfortunately, from the nature of their authority, it is impossible to define those privileges in every case, and therefore each branch must always be judge for itself concerning the interpretation of that part of the law, but it may be said in general (as undoubtedly this is one of the most critical parts of our government) that provided the authority of the different branches of the legislature is not contemned, that the members, or the body, can hardly be too gentle in using this extensive prerogative. It was these considerations which induced the Assembly to come to so mild a determination in the cases of Mr. Robertson and Mr. Nethercott, as that of their only asking pardon and acknowledging their fault,

ART. VII. In answer to their fifth resolution, the Council being informed by several persons, that they had been summoned before a committee of the Assembly, called by them a committee of grievances; and questioned for having signed a memorial to your Excellency and Council, and presented to our board the third day of Dec. last; We cannot help considering such proceedings of said committee not only as a manifest branch of the privileges of this board; but also, a great grievance to the subject, and subversive to their rights and liberties. And we utterly deny that our board had any share in preparing and forming said memorial; and it would seem

seem that the foundation of the Assembly's resentment to the persons who signed the said memorial, was the compliments paid by them to your Excellency and the Council: and we are persuaded the impartial world will think with us, that the jealousies and distrust of the natural-born subjects, expressed in the said memorial were but too well founded; and so far from being yet allayed, that they are greatly increased, by the cabals and intrigues of some of the Assembly, so very unjustly imputed to us.

Ans. VII. It is very strange to hear the Council, on the one hand alledging that the memorial presented to the Governor and Council, and signed by many of the inhabitants; and afterwards officially transmitted to the Assembly was a thing of the most important consequences to the community, on which the life, property, and religion, of the inhabitants depended, and where the privileges of both branches of the legislature were concerned; and yet that the Assembly were committing a manifest breach of these privileges of the Council board, and heaping grievances on the subjects, subversive of their rights and liberties; by examining into the foundation of this memorial.

Was it so entirely imaginary that it could not bear the slightest examination?

Were the Council afraid that all the lofty alarms, on the jealousies, mistrusts, liberty and religion, of the island, should be centered in the brain of Mr. Alexander Simpson and his associate?

Were the compliments in the said memorial paid to the Governor and Council, by so many late imported subjects, and loyal sailors, so very airy, that they could not bear a repetition in evidence? If the board had no share in preparing and forming the said memorial, will it be asserted that the different members had not? Why is the whole island now left at a loss to determine the origin of so alarming a performance? Can we find no man who will own himself the author, where so much glory might be gained, in point of language, piety and zeal, for our constitution? The immediate prorogation of the Assembly, for proceeding upon a simple enquiry

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into the matter of fact; will determine the author better than any evidence they could have found.

ART. VIII. To the seventh resolution, we reply, that we have reason to believe, that the Council of Barbadoes and the Leeward Islands, examples we are chiefly authorized to follow, do sit upon all occasions, where any public business requires their consideration, without having regard to the particular times appointed for the meeting of their Assembly, and such practice appears evidently necessary, for the greater dispatch of public business.

Ans. VIII. That the Councils of Barbadoes and the Leeward Islands, do sit in a legislative capacity, when the Assembly is prorogued, we positively deny. But supposing such irregularity had ever happened, the example could not vindicate such a conduct in any other part of the British dominions. A man might as well vindicate murder from its having been committed in another part of the world: and we do repeat again, that any person, who can maintain such absurdity, is totally unfit to hold any office, even that of a constable, in the British government.

ART. IX. As to what the Assembly alleges in the paper called their address, which as we have already said, ought rather to be called a charge against your Excellency and the Council, for undue interpositions in elections, partiality in returning officers, chiefly members of his Majesty's Council and your Excellency's nomination, and for obstruction given to public business by the wanton cabals and intrigues of people in power; We affirm to be mere assertions not founded in truth; and they have not ventured to allege any particular instances in support of their charge from a consciousness that none such did ever subsist: for certainly they cannot mean that the members of the Council have not a right to give their votes at elections by virtue of their freeholds, a doctrine never heard of in any Colony; nor even that they should not recommend proper persons as representatives, when their own properties and interests are so greatly concerned; though we are very ready to acknowledge that we had not the smallest share in recommending much the greater part of this Assembly.

Ans.

Ans. IX. Assertions on either side, as has been said before, should have no weight in the decision of these matters, and therefore we pass over the first part of this paragraph.

The instances where the Governor and Council have interfered in elections, are already given. The Assembly do certainly mean, that the members of the Council have no constitutional right to give their votes at elections by virtue of their freeholds, a doctrine never before mentioned in any colony, where the just poise of the constitution was understood. They themselves are the proper representatives for their own properties and interests in the legislature. The members of the present Assembly, willing at the same time to acknowledge every instance of candor in the Council, do particularly allow the obligation they owe to them, for confessing they had not the smallest share in recommending much the greatest part of this Assembly.

ART. X. But we must beg leave to take particular notice of their insinuations, that two of the members of the Council, as such, had taken upon them to set at liberty two gentlemen committed by the House of Assembly without due course of Law: whereas it is well known to your Excellency, and the public, that the two members of the Council acted in their characters of Judges of his Majesty's Court of Common Pleas; and that they did upon application grant a writ of Habeas Corpus, to have Mr. Robertson and Mr. Nethercott brought before them, and upon return of such writ, admit them to bail.

Ans. X. Whether Judges have the power of relieving, by Habeas Corpus, from a commitment of either House, is a point that the members of the Council might be excused for erring in, since Lord Holt himself was in doubt concerning it. But ever since this point was thoroughly canvassed in the Aylebury case, and since in the case of Mr. Murray, all men seem to confess, that allowing the power of relieving to be in the Judges, the authority of Parliament must dwindle to contempt. This point has been treated with great learning in the dispute between Mr. Littleton and the Assembly of Jamaica, which ended in the recall of that Governor, and of his successor entering a *Vacatur* on the proceed-

ings in Chancery upon that subject, before the subsequent Assembly would do any business with him.

It is at the same time curious to hear the Council pleading for their own power of committing for contempt in the case of Mr. Cazaud, where they had totally misunderstood their situation, and yet denying this power to the Assembly; but the attempt of the Council, as Judges of the Common Pleas, in relieving from the commitment of the Assembly, is not half so absurd as that of the subsequent relief given by the Governor as Chancellor, who, in fact, by a law of the island, passed by himself; is † only a constituent part of the Chancery. In short, if it is once admitted, that any power can relieve from the commitment of either House, there is an end of the present establishment of our constitution.

ART. XI. As to the address of the Grand Jury to your Excellency to call a meeting of the Assembly, we must observe the impropriety, or rather absurdity, of such an application to your Excellency, as the prorogation expired the next day after the presenting the address, and the assembly must have met in course: And we must likewise observe, that it is highly probable this address was promoted by some members of the Assembly who were of the Grand-Jury, solely with a view to throw an odium upon your Excellency and the Council, and not from any distrust that the prorogation would at that time be renewed. †

ANS. XI. The address of the Grand-Jury was undoubtedly calculated to demonstrate, beyond a possibility of contradiction, that all the sounding expressions of the loyal, faithful, and Protestant subjects being entirely on the side of the Governor and Council, in their late disputes, was without foundation; and that many of the said loyal, faithful, and Protestant, subjects, had the fullest confidence in the Assembly, which Assembly would otherwise undoubtedly have been prorogued. The address of the Grand-Jury has answered the intent it was calculated to serve; and therefore we do not

† This law was not confirmed by the King.

† See the address of the Grand Jury No. VIII. in the Appendix.

wonder, that in this respect, it should meet with the reprehension of the Governor and Council.

ART. XII. Having thus, we are persuaded, fully disproved to the satisfaction of your Excellency and the world, the groundless allegations of the Assembly; we cannot but lament the unhappy state of this poor colony, where innocence is no defence against calumny and detraction, and the particular hardship of our case, when after the most conscientious and attentive discharge of our duty to our Sovereign, and the public, we should be obliged to defend our conduct against the unprovoked malevolent attacks of obloquy and slander.

ANS. XII. If the memorial of the Council h's in any measure disproved the allegations of the Assembly, we acknowledge ourselves totally incapable of reasoning upon these subjects.

We are extremely sorry, that in treating the answers of the Governor and Council, we have found ourselves sometimes obliged to expose them in language and in a manner that may seem below the dignity of their stations, as well as of our own characters.

It is hardly possible to put the transactions of such men in a proper light, without having recourse to ridicule, or by allusions to those authors who have painted men pretending to act the same selfish scenes under the mask of religion and loyalty, and from mere natural lights, moving in situations that require the greatest precision, firmness, learning and moderation; and therefore we shall conclude, with equally lamenting the unhappy state of this island, committed, in an age of the most extensive learning and humanity, to the management of men, who profess, and practise, maxims of the grossest barbarism, and call upon their God and their Kings, to vindicate them in such hypocrisy.

Extract from the Minutes of the Assembly of Granada.

Saturday the 26th of April 1766.

Resolved, as the Council have thought proper to deny their concurrence to a bill for the suppression of gangs of run-away slaves, of such imminent danger to the safety and prosperity of these islands, notwithstanding the efforts made by this House for that purpose, and their condescensions towards the other branches of the Legislature, as far as this House could go, without a manifest violation of their duty to their constituents; and consequently, as this House cannot proceed to the business of these colonies, however critical, necessitous and pressing; and his Excellency the General has declared his intentions of making a tour through his government, and to return about the 16th day of next month, and has expressed his desire of our adjournment, till his return; that the Members of this House do retire to consider, separately, on the most effectual means of providing in future, for the security of the sacred and fundamental rights of their constituents, and adjourn till *Monday the 19th of May* next, at which time such representations may be made, as may tend to the safety, liberty, and prosperity of these Colonies.

Ordered, That the following message be immediately sent to his Excellency.

"The House of Assembly have the honour of informing his Excellency the Governor, that they have adjourned themselves till *Monday the 19th of May* next."

Ordered, That *Doctor Staunton*, and *Mr. Lucas*, do carry the same.

Monday the 19th of May, 1766.

A motion being made, that compliments of congratulations be presented from this House to his Excellency the General, on his safe return, the same was unanimously agreed to; and it was ordered, that *Dr. Staunton* and *Mr. Alexander* do wait upon his Excellency to present the same, who returning, reported the delivery thereof, and

and that his Excellency was pleased to answer, " That
 " he thanked the Gentlemen *belonging* to the Assembly."

Tuesday the 20th of May, 1766.

A Motion being made, that a message be immediately
 sent to his Excellency the Governor, to acquaint him,
 " That the House of Assembly, after having adjourned,
 " *according to his Excellency's desire*, until the time of his
 " expected return, have now met, and have proceeded
 " to the dispatch of such public business as cannot be
 " protracted, without exposing the safety and tranquillity
 " of the colony to the most imminent danger; that
 " they have consequently framed very necessary bills,
 " which demand to be passed without the least delay;
 " and therefore request his Excellency, that he will be
 " pleased to convene the Gentlemen of the Council, that
 " those Bills may be presented for their Concurrence, in
 " the hope, that the removal of those evils which attracted
 " the attention of his Excellency, and of this House,
 " from the opening of the Assembly, and which have
 " since considerably increased, and threaten the greatest
 " misfortunes to the whole Colony, if not immediately
 " and effectually averted, will meet with no future ob-
 " struction from any branch of the Legislature."

Ordered, That Doctor *Staunton* and Mr. *Colby* do wait
 on his Excellency with the said message, who returning,
 reported, that they received for answer, by the Fort-Ad-
 jutant, " That his Excellency was busy, and could not
 " be seen, nor could they be informed when he would
 " be *visible*; but were desired to leave their message in
 " writing, and which his Excellency would answer
 " when at leisure."

Ordered, That as it is essential to the welfare of the
 Colony, that the contents of the message sent by the
 House, be immediately made known to his Excellency,
 lest the publick business should be impeded at this criti-
 cal juncture, That the message may be now sent to his
 Excellency, and left for his perusal in Writing, if he
 should still continue to be *not visible*.

Ordered, that Dr. *Staunton* and Mr. *Colby* do go with
 the said message; who returning, informed the House,
 That his Excellency *not being visible*, they delivered the
 message

message of the House in writing, to the Fort-Adjutant, and requested to be informed at what time an answer would be made by his Excellency, who sent down word, "That he had no answer to give."

Extract from the Minutes of the Council, of the 26th of April, 1766.

PRESENT his EXCELLENCY:

The Honourable *James Brebner, Robert Turner, John Graham, Patrick Maxwell, James Jones*, Esquires.

Then his Excellency in Council, sent by Mr. Jones, a verbal message to the Assembly, acquainting them; "That, although his Excellency had intended making a tour to all the islands of this government, on urgent business; yet, as the publick affairs of this island might require his presence, he intended returning here on or about the 16th of next month, and proposes to the House, either the 19th or 20th of that Month for their adjournment." Which message, Mr. Jones reported to have delivered, and that the Speaker thereupon said, "The House then, Sir, is adjourned; to which he, Mr. Jones, replied, "No, Sir, That is by no means understood. His Excellency only proposes either of those days to the House, for an adjournment." On which report his Excellency directed Mr. Jones to return with the following message.

"That to explain the former message, and prevent mistakes, he was now directed to acquaint the House, That although his Excellency's intention was to make a tour through all the islands of this government, on urgent business; yet as the public affairs of this island might render his presence necessary, he intended to return, for a short time, on or about the 16th of next month, and proposed to the House, either the 17th, the 19th, (the 18th falling on a Sunday, and excepted) or the 20th, for the day which they should be adjourned to, according as the House should signify their choice;" which message, Mr. Jones, on his return, reported "to have delivered." And his Excellency still continuing sitting in Council, all other business being then

then over, in expectation of being informed by a message from the House of Assembly, to which particular day of the three above-mentioned, they were desirous of being adjourned; and to which day, for the greater dispatch of public business, his Excellency also intened to adjourn the Council, as he had intimated to their honours. But after some time,

Mr. *Stanton* and Mr. *Lucas*, two Members of the Assembly, came to his Excellency in Council; and the former read a paper from that House, acquainting his Excellency, that they had adjourned themselves to Monday the 19th of May next, after which they withdrew, not having left the written message, as had been the practice in all former cases.

Extract from the Minutes of the Council, of the 19th of May, 1766.

PRESENT, HIS EXCELLENCY.

The Honourable *James Brehner*, *Robert Turner*, **John Graham*, **Patrick Maxwell*, *James Jones*, **Frederick Corsar*, Esquires.

Ordered, That his Majesty's instructions to his Excellency, relating to the privileges of the Assembly, which were communicated to that House the 17th of April, be read.

And the same were read accordingly.

Ordered, That the two messages sent from his Excellency in Council to the Assembly, by Mr. *Jones*, the 26th of April, be read.

And the same were also read.

Then the adjournment of the House of Assembly, by themselves, from the 26th of April to this day, being taken into consideration,

Resolved unanimously, That the adjournment of the Assembly by themselves, from the 26th of April to this day, is in direct violation of his Majesty's instructions.

* These Gentlemen are part of the Council who withdrew from the Board on the 24th of August last, and met again on the 25th and 29th of September, by their own Authority.

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Resolved,

Resolved unanimously, That this Board cannot take under consideration any business which may come from the Assembly, until they are legally called together by his Excellency.

Extract from the Minutes of the Council, of the 21st of May 1766.

PRESENT HIS EXCELLENCY.

The Honourable James Brebner, Robert Turner, Patrick Maxwell, Thomas Proudfoot, James Jones, Frederick Corsar, Esquires.

His Excellency then acquainted the Board, "That
" since their last adjournment, he had received private-
" ly, in the course of two days, some verbal messages
" and one written one, from Gentlemen, *stiling them-*
" *selves the Assembly*; but that considering them in the
" same light their Honours had done, of not being regu-
" larly and legally met, he had viewed them as indivi-
" duals only, and had signified the same to them, without
" giving them answers under any other character, or in any
" other capacity. And as their Honours were well ac-
" quainted with the present unhappy situation of the
" publick affairs of this island, the tenor of his Ma-
" jesty's instructions to his Excellency, relating to the
" powers and privileges of the Assembly, and the
" Members of that House, *persisting to meet in conse-*
" *quence of an adjournment made by their own authority,*
" *in direct contradiction to an article of his Majesty's said*
" *instructions*, he required the advice and opinion of
" their Honours, what was most expedient to be done
" in the present conjuncture?"

Whereupon, after mature deliberation, the Board came to the following resolution.

Resolved, That the House of Assembly having been under great irregularities, and continuing to persist therein, without taking any steps towards a reconciliation, or establishment of that harmony so indispensibly necessary for the public service between the different branches of Legislature, it
is

is the opinion and advice of this Board, to his Excellency, to dissolve the said Assembly, by a proclamation in his Majesty's Name, as the best Measure to be taken at present, for the good and tranquillity of the Colony.

[illegible]

THE PROTESTANTS

Of the three Kingdoms and Colonies, are requested seriously to consider, what is now transacting in the Island of Granada, and how far the granting Legislation and Magistrature to Papists, may affect the principles of the Reformation and Revolution.